

Also, petition of W. J. Groner, asking for improvement of Elizabeth River, Virginia—to the Committee on Rivers and Harbors.

By Mr. LONG: Petition of Assembly No. 845, Knights of Labor, Weymouth, Mass., in support of House bill 1914, for restoring wages of the Government Printing Office—to the Committee on Labor.

By Mr. LOUITT: Petition of Samuel Mays, of Sutter County, California, asking that his war claim be referred to the Court of Claims—to the Committee on War Claims.

By Mr. LYMAN: Petition of citizens of Council Bluffs, Iowa, asking an increase in the salaries of United States district judges—to the Committee on the Judiciary.

By Mr. McCOMAS: Petition of Joseph C. Hill, late major of the Sixth Indiana Volunteers, for arrears of pay—to the Committee on War Claims.

By Mr. MATSON: Petition of Elijah Knight and 99 others, citizens of Monroe County, Iowa, for additional pension legislation—to the Committee on Invalid Pensions.

By Mr. MERRIMAN: Petition of Fanny Levy, administratrix of the estate of Capt. Jonas P. Levy, of New York, that the claim for money due the said estate by Mexico be adjusted and paid—to the Committee on Foreign Affairs.

By Mr. MOFFATT: Petition of George E. Steele and others, and of Chris. B. Kehl and others, asking for telegraphic communication between North and South Manitou Islands, in Lake Michigan, and the mainland—to the Committee on Commerce.

By Mr. MORGAN: Petition of Robert W. Scruggs, administrator of Maria W. Scruggs, deceased, of Panola County, Mississippi, asking reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. NEAL: Petition of the members of the Cumberland Presbyterian church at Calhoun, Tenn., for pay for their church building, taken down and used by the United States Army—to the same committee.

By Mr. NELSON: Petition of L. D. Hendry and many others against the increase of postage on fourth-class matter—to the Committee on the Post-Office and Post-Roads.

Also, petition and papers in the case of Samuel J. Brown—to the Committee on Pensions.

By Mr. OATES: Petition of 105 citizens of Bullock County, Alabama, for the relief of third and fourth class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. O'DONNELL: Petition of 1,287 citizens of the District of Columbia, for the enactment of a law requiring scientific temperance instruction in the public schools of said District—to the Committee on Education.

By Mr. PAYNE: Petition of 315 representative citizens of Cayuga, Wayne, and Oswego Counties, N. Y., for scientific temperance instruction in all schools under control of the Federal Government—to the same committee.

By Mr. PEEL: Papers relating to the claim of Absalom H. Alfney, of Benton County, and of William M. Noe, of Marion County, Arkansas—to the Committee on War Claims.

By Mr. RIGGS: Resolutions of a meeting of citizens of Scott County, Illinois, relative to the coinage of money, &c.—to the Committee on Coinage, Weights, and Measures.

By Mr. ROWELL: Memorials of Assembly 2435, Knights of Labor, Decatur; of Assembly 4146, Knights of Labor, Lincoln; and of Assembly 4900, Knights of Labor, of Macon, Ill., in favor of public improvements—to the Committee on Railways and Canals.

By Mr. SAWYER: Petition of 511 representative citizens of Orleans and Livingston Counties, New York, for scientific temperance instruction in all schools under control of the Federal Government—to the Committee on Education.

By Mr. SENEY: Petition of pearl-button makers' convention, asking for protection against tariff reduction—to the Committee on Ways and Means.

By Mr. SINGLETON: Papers relating to the claim of John Simmons, of Yazoo County, Mississippi—to the Committee on War Claims.

By Mr. SKINNER: Petition of A. H. Chadwick and 300 fishermen, of North Carolina, asking that any bill restricting the fishing for menhaden on the Atlantic coast may not pass—to the Committee on Commerce.

Also, evidence in the claim of H. W. Styron—to the Committee on War Claims.

By Mr. SMALLS: Petition of citizens of Georgetown County, South Carolina, praying for relief—to the Committee on Rivers and Harbors.

By Mr. SPRINGER: Memorial of General James S. Brisbin, United States Army, for the passage of House bill No. 286 to facilitate promotions, and retire from active service, upon their own application, officers of the Army who served during the late war as general officers of volunteers—to the Committee on Military Affairs.

By Mr. CHARLES STEWART: Memorial from H. C. Schmidt for removing obstruction to navigation at the mouth of the Brazos River, Texas—to the Committee on Rivers and Harbors.

By Mr. SYMES: Memorial of the General Assembly of Colorado, re-

questing appropriations for agricultural colleges—to the Committee on Education.

By J. M. TAYLOR: Papers relating to the claim of David Rice, of Jackson County, and of John B. Bell, of Henderson County, Tennessee—to the Committee on War Claims.

By Mr. ZACH. TAYLOR: Papers relating to the claim of Amanda T. Waller, of Fayette County, Tennessee—to the same committee.

By Mr. J. R. THOMAS: Papers relating to the claim of Hugh Worthington—to the same committee.

By Mr. THROCKMORTON: Petition from 252 citizens of Bowie, Montague County, Texas, praying a sufficient appropriation to secure deep water at Sabine Pass, Texas—to the Committee on Rivers and Harbors.

By Mr. TUCKER: Petition of H. T. Hartman for extension of patent right—to the Committee on Patents.

By Mr. WAKEFIELD: Petition of 248 representative citizens of Fairbault, Jackson, and Waseca Counties, Minnesota, for scientific temperance instruction in all schools under control of the Federal Government—to the Committee on Education.

By Mr. A. J. WEAVER: Petition of citizens of Omaha, Nebr., asking for the appointment of a commission to negotiate with Canada commission on the fisheries question—to the Committee on Foreign Affairs.

By Mr. WELLBORN: Memorial of J. L. Taylor, of the Cherokee Nation, against H. R. 584—to the Committee on the Territories.

By Mr. WHEELER: Petition of Mrs. N. V. Hewlett, asking that her war claim be referred to the Court of Claims—to the Committee on War Claims.

By Mr. WILSON: Petition of Solomon Strobe, of Nimrod Strobe, of Wilber F. Dyer, of Milton Taylor, administrator of Henry Strobe; of Wilbur F. Dyer, of Mrs. Street Cunningham, and of Jacob J. Hyne, of Grant County; of John G. Harvey, of Angus M. Wood, of James Kuykendall, of E. W. McNeill and S. R. McNeill, administrators of A. M. and J. W. Inskeep, and of James S. Whiting, of Hardy, W. Va.; and of Isaac Hutton, of Nevada, Vernon County, Missouri, praying that their several war claims be referred to the Court of Claims—to the same committee.

By Mr. WINANS: Petition of citizens of Clinton County, Michigan, for a pension for Mrs. Margaret Vance, widow of Edward S. Vance, late a private of Company E, One hundred and twenty-third Regiment, New York Infantry—to the Committee on Invalid Pensions.

The following petitions, praying Congress to place the coinage of silver upon an equality with gold; that there be issued coin certificates of one, two, and five dollars, the same being made legal tender; that one and two dollar legal-tender notes be issued, and that the public debt be paid as rapidly as possible by applying for this purpose the idle surplus now in the Treasury, were presented and severally referred to the Committee on Coinage, Weights, and Measures:

By Mr. J. T. JOHNSTON: Of citizens of Fountain County, Indiana.

By Mr. LANDES: Of J. R. Parks and 32 others, citizens of Wayne County, Illinois.

By Mr. PRICE: Of C. P. Johnson and 51 others, citizens of Panoma, Kans.

## SENATE.

THURSDAY, February 25, 1886.

Prayer by the Chaplain, Rev. E. D. HUNTLEY, D. D.

The Journal of yesterday's proceedings was read and approved.

### REDEMPTION OF UNITED STATES NOTES.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, which was read.

The PRESIDENT *pro tempore*. This communication, with the accompanying table, will be printed, and, the table being very brief, will be printed also in the RECORD with the communication, if there be no objection.

The communication, with the accompanying table, was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT, February 24, 1886.

SIR: I have the honor to acknowledge the receipt of Senate resolution of the 19th instant, "That the Secretary of the Treasury is hereby directed to inform the Senate the aggregate amount of United States notes redeemed, as required by the resumption act, so called, for and during each fiscal year, beginning July 1, 1879, and ending June 30, 1885, and also a like statement for the period beginning January 1, 1879, and ending June 30, 1879, and for the period beginning July 1, 1885, and ending December 31, 1885," and to inclose herewith a statement, prepared in the office of the United States Treasurer, covering the information called for.

Respectfully, yours,

D. MANNING, Secretary.

Hon. JOHN SHERMAN,  
President *pro tempore* United States Senate.

Statement of United States notes redeemed in gold coin, from January 1, 1879, to December 31, 1885, under act of January 15, 1875.

From—	To—	Amount.
January 1, 1879	June 30, 1879	\$7,590,695
July 1, 1879	June 30, 1880	3,750,635
July 1, 1880	June 30, 1881	571,530
July 1, 1881	June 30, 1882	61,000
July 1, 1882	June 30, 1883	699,000
July 1, 1883	June 30, 1884	2,222,000
July 1, 1884	June 30, 1885	322,000
July 1, 1885	December 31, 1885	15,586,500
Total		15,586,500

UNITED STATES TREASURER'S OFFICE, February 24, 1886.

#### PETITIONS AND MEMORIALS.

The **PRESIDENT pro tempore** presented a petition of Knights of Labor of Wakeworth, Ohio, praying for the passage of the bill relative to the increase of wages in the Government Printing Office; which was referred to the Committee on Printing.

Mr. **MAXEY** presented a petition of Local Assembly No. 4423, Knights of Labor, of Gordon, Tex., and a petition of Local Assembly No. 4481, Knights of Labor, of Mustang, Tex., praying for the organization of a Territorial term of government over the Indian Territory, etc.; which were referred to the Committee on Indian Affairs.

Mr. **HARRIS**. At the request of a member of the bar of this city I present the petition of Charles E. Crenney, making a claim for compensation for property taken and used by the United States authorities for public purposes. I know nothing of the merits. I move that the petition be referred to the Committee on Claims.

The motion was agreed to.

Mr. **GUILLOT** presented a petition of Local Assembly No. 1739 of the Knights of Labor, of Bensalem, Ill.; a petition of Local Assembly No. 1480 of the Knights of Labor, of Peru, Ill.; a petition of Local Assembly No. 1567 of the Knights of Labor, of Inlet Island, Ill.; a petition of Goddard Bank Assembly No. 3444 of the Knights of Labor, of Colchester, Ill.; a petition of Local Assembly No. 3611 of the Knights of Labor, of Peoria, Ill.; a petition of Local Assembly No. 3549 of the Knights of Labor, of Stennett, Ill., and a petition of Local Assembly No. 3519 of the Knights of Labor, of Litchfield, Ill., praying for the construction of the Hennepin Canal; which were referred to the Committee on Commerce.

He also presented a petition of Local Assembly No. 3511, Knights of Labor, of Peoria, Ill., and a petition of Local Assembly No. 3543, Knights of Labor, of Stennett, Ill., praying for the opening to settlement of public and unoccupied lands in the Indian Territory and the organization of a Territorial form of government thereon; which were referred to the Committee on Indian Affairs.

Mr. **CONGELL** presented the petition of Andrew F. Schaefer, chairman of a committee of Knights of Labor, and other citizens of Iowa, Mohl, praying for the passage of the bill restoring the rates of wages in the Government Printing Office; which was referred to the Committee on Printing.

He also presented a petition of District Assembly No. 83 of the Knights of Labor, of Marquette, Mich., praying for the opening of the Indian Territory for homestead settlement and the organization of a Territorial government therein; which was referred to the Committee on Indian Affairs.

Mr. **DOLPH**. I present a petition of the Board of Trade of Portland, Oreg., praying for the passage of Senate bill No. 1111, which proposes to set apart from the public domain in the State of Oregon as a public park for the benefit of the people of the United States certain townships known as the Crocker Lake Park. I move that the petition be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. **MALDENSON** presented a petition of the Board of Trade of Channah, N. H., praying for the passage of the bill (H. R. 1445) to create two additional land districts in Kansas; which was referred to the Committee on Public Lands.

Mr. **HARRISON** presented a petition of the Indiana Furniture Manufacturing Company and other manufacturing establishments in Indiana, praying Congress to pass the bill (H. R. 615) to relieve commercial travelers from license taxes in the District of Columbia; which was referred to the Committee on Commerce.

Mr. **ISGALIS** presented a petition of the managers of the Straits Arm's Infant Asylum of the city of Washington, praying for an increase of the appropriation for that institution; which was referred to the Committee on Appropriations.

He also presented a memorial of Local Assembly No. 1500, Knights of Labor, of Toledo, Kans., remonstrating against the passage of the printing bills upon plates and galleying; which was referred to the Committee on Commerce.

Mr. **FLINER**. I present three several petitions, signed by ex-Union soldiers residing in the State of Kansas, praying for the passage of the bill to equalize the pay of ex-Union soldiers and sailors with the pay

of holders of national securities, the effect of which is to pay the soldiers and sailors the difference between the value of specie and depreciated greenback currency at the rate they received their pay. I move that the petitions be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. **WILSON**, of Iowa, presented the petition of Rev. Robert Dwyer and 325 representative citizens of Sac, Jones, Clinton, Muscatine, and Cedar Counties, Iowa, and the petition of Rev. L. J. Jerns and 275 other representative citizens of Boone, Cerro Gordo, Hamilton, and Hardin Counties, Iowa, praying for the enactment of a law requiring scientific temperance instruction in the public schools of the District of Columbia in the Territories, and in the Military and Naval Academies, the Indian and colored schools, supported wholly or in part by money from the national Treasury; which were ordered to lie on the table.

He also presented the petition of L. T. Gatus and 64 other citizens of Iowa, praying for the passage of an act of absolute forbearance of the unearned funds within the limits of the grant to the Sioux City and Santa Paul Railroad Company; which was ordered to lie on the table.

He also presented the petition of E. E. Hackett and 14 others, citizens of Cherokee, Iowa, praying for the passage of a joint resolution submitting to the States an amendment to the Constitution of the United States securing the right of suffrage to women on equal terms with men in all of the States and Territories; which was ordered to lie on the table.

He also presented resolutions adopted by the Aba Lincoln Post, No. 20, of the Grand Army of the Republic, at Council Bluffs, Iowa, favoring the immediate passage of a bill prohibiting the exhibition at the national capital and elsewhere in the country of a certain panorama of the battle of Bull Run, which was referred to the Committee on Military Affairs.

Mr. **COCKRELL**. I present a petition of citizens of Saint Louis, in the State of Missouri, earnestly praying Congress to pass a joint resolution at this session submitting to the several State Legislatures a proposition to so amend the national Constitution as to protect the woman of the United States of all the States and Territories in the enjoyment of the right of suffrage on equal terms with men. The petition is signed by Mrs. Annamie E. Dickinson, president of the Missouri Woman's Suffrage Association; Mrs. Penelope Allen, vice-president; Mrs. Charlotte A. Cleveland, chairman of the executive committee; Dr. W. C. Brown, and others. Inasmuch as the bill on this subject has been reported from the Committee on Woman Suffrage, I move that the petition lie on the table.

The motion was agreed to.

Mr. **LOGAN** presented petitions of Knights of Labor of Edwards Station, Rock Island, Bismarck, and Lincoln, Ill., praying for the construction of the Hennepin Canal; which were referred to the Committee on Commerce.

He also presented a petition of citizens of Moscow, Ill., praying that McDonough County be stricken from the bill which proposes to place that county in a judicial district with Peoria as the place for holding Federal courts; which was referred to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES.

Mr. **DAWES**, from the Committee on Indian Affairs, to whom was referred the bill (S. 1577) to amend the United States of an act entitled "An act to provide for the sale of the Shen and Fox and Iowa Indian reservations in the States of Nebraska and Kansas, and for other purposes," approved March 2, 1885, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 35) to authorize the sale of timber on certain lands reserved for the use of the Menominee tribe of Indians, in the State of Wisconsin, reported it with an amendment.

Mr. **HOLAR**. I am directed by the Committee on Patents and Eleventh, to whom was recommended the bill (S. 9) to fix the day for the meeting of the elections of President and Vice-President and to provide for and regulate the counting of the votes for President and Vice-President, and the decision of questions arising thereon, to report it back with an amendment in the nature of a substitute. The substance of the original bill is retained unchanged, but there are certain amendments which need the ideas suggested by the Senator from New York [Mr. EVANS] in debate, and it has been found convenient to make the report of the bill with the amendments incorporated. I wish to have the substitute printed in a fashion which will show the proposed changes from the original bill.

The **PRESIDENT pro tempore**. That order will be made, if there be no objection.

Mr. **HOLAR**. I suppose from my knowledge of the views of the Senate, from the debate which has taken place, that the bill will not give rise to much debate hereafter. Senators, I think, thoroughly understand it, and their views will be found to be pretty well fixed upon it. I shall give notice, therefore, that at a very early day I propose to call it up and have it disposed of, either by having it laid on the table pending order or at some time when the Senate is not engaged on other business.

Mr. **FRYE**, from the Committee on Commerce, to whom was referred



the bill (S. 121) to authorize the construction of a bridge across the Staten Island Sound, known as Arthur Kill, and to establish the same as a post-road, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 68) to authorize the construction of a highway bridge across that part of the waters of Lake Champlain lying between the towns of North Hero and Albion, in the State of Vermont, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 446) to amend section 4460 of the Revised Statutes so that vessels under 5 tons burden, and used for private purposes and not carrying passengers for hire, shall not be subject to license, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1408) to provide for an American register for the steamship Ozama, of New York city, reported it without amendment, and submitted a report thereon.

ROBERT H. ANDERSON.

Mr. EDMUNDS. I am authorized by the Committee on the Judiciary to report favorably the bill for the relief of Robert H. Anderson, of the State of Georgia, from his political disabilities. I ask for its present consideration, as I see my friend from Kentucky [Mr. BUCK] is here.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 877) for the relief of Robert H. Anderson, of the State of Georgia.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed (two-thirds of the Senators present voting in the affirmative).

#### BRIDGES OVER SAINT CROIX RIVER.

Mr. McMILLAN. From the Committee on Commerce I report favorably with an amendment the bill (S. 1476) to amend the act of Congress approved June 12, 1894, entitled "An act to authorize the construction of bridges across the Wisconsin, Chippewa, and Saint Croix Rivers, in the State of Wisconsin." I ask the Senate to consider the bill at this time.

The bill was read for information; and by unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider it.

The amendment of the Committee on Commerce was, in line 10, after the word "Northern," to strike out the word "Railway" and insert "Railroad;" so as to make the bill read:

*Be it enacted, etc.,* That an act of Congress approved June 12, 1894, entitled "An act to authorize the construction of bridges across the Wisconsin, Chippewa, and Saint Croix Rivers, in the State of Wisconsin," be, and the same is hereby, amended by striking out the words "Wisconsin, Chippewa, and Northern Railway Company," wherever the same occur in the said law, and by inserting in lieu thereof the words "the Chicago, Burlington and Northern Railroad Company, its successors and assigns."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. WILSON, of Iowa, introduced a bill (S. 1635) granting a pension to John Rasker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1636) to reduce the rate of postage on seeds, scions, bulbs, and plants; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. COSGER introduced a bill (S. 1637) to promote the efficiency of the Revenue-Marine Service; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1638) for the relief of Samuel W. Hamilton; which was read twice by its title, and referred to the Committee on Claims.

Mr. EUSTIS introduced a bill (S. 1639) to make bills of lading conclusive in certain cases; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. CULLOM (by request) introduced a bill (S. 1640) for the relief of Hugh O'Neil; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KIDDLEBERGER introduced a bill (S. 1641) for the relief of Frederick Foote, of Fairfax County, Virginia; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. PLUMB introduced a bill (S. 1642) granting a pension to William F. Harmon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1643) to grant a pension to John Waters; which was read twice by its title, and referred to the Committee on Pensions.

Mr. EDMUNDS introduced a bill (S. 1644) providing for an inspection of means for exportation, prohibiting the importation of adulter-

ated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes; which was read twice by its title.

Mr. EDMUNDS. This bill was reported last year from the Committee on Foreign Relations, and besides providing for the inspection of pork, &c., for exportation, it contained a section which gave the President of the United States authority, whenever he was convinced that unjust discriminations were made against American products desired to be imported into other countries, to suspend importations from those countries of such articles as he thought fit for the protection of the just interests of the United States. In view of what I see by the newspapers is going on in other countries touching American productions, on the theory that they are supposed to be diseased, when it is obvious as a matter of fact that it is merely a method of excluding American productions that the people want, I think it desirable that this subject should be again brought definitely to the attention of the committee and the Senate. I therefore introduce the bill and ask that it be referred to the same committee.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Foreign Relations.

Mr. LOGAN introduced a bill (S. 1645) to regulate commerce among the several States and to codify the law relating to bills of exchange and other commercial paper; which was read twice by its title.

Mr. LOGAN. From the first part of the title it would seem that the bill should go to the Committee on Commerce, but it proposes to regulate bills of exchange, commercial paper, and matters of that character, and therefore I ask that it be referred to the Committee on the Judiciary. I introduce the bill by request.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on the Judiciary.

#### CHANGE OF REFERENCE.

Mr. STANFORD. The bill (S. 1605) to establish a quarantine station at the port of San Francisco, introduced by me several days ago, was referred to the Committee on Commerce, when it should have been referred to the Committee on Epidemic Diseases. I ask that that change of reference be made.

The PRESIDENT *pro tempore*. The change of reference will be made as requested, there being no objection.

#### PAPERS WITHDRAWN AND REFERRED.

Mr. SABIN. I ask for the adoption of the following order:

*Ordered*, That the papers in the case of Edway A. Garret, late postmaster at Fargo, Dak. (Senate bill No. 257), be taken from the files of the Senate for the purpose of being referred to the Committee on Claims of the House of Representatives, there being no adverse report.

Mr. EDMUNDS. We can not refer papers to the Committee on Claims of the House of Representatives.

The PRESIDENT *pro tempore*. An order withdrawing the papers will answer the purpose.

Mr. SABIN. I asked that the papers might be referred to the Committee on Claims of the other House for the purpose of passing upon a bill which is now before that committee, a duplicate of the bill which was introduced in the Senate.

Mr. EDMUNDS. The ordinary method in such cases where papers are wanted in the other House is for that House to ask this House to send the papers. I do not know, but without violating any propriety we might order that the papers be sent to the House of Representatives, but we could hardly send them to one of its committees, I suppose, as a reference.

Mr. HARRIS. Is this anything more than an order withdrawing papers under the rule? The Senator submitting the order simply assigns the reason why he wishes to withdraw the papers, but it seems to me it is simply an order to withdraw.

Mr. EDMUNDS. It can be modified so as to make it a simple withdrawal. I have no objection to that.

The PRESIDENT *pro tempore*. That modification can be made by striking out a clause in the latter part of the order.

Mr. SABIN. I ask to have the order amended so as simply to withdraw the papers.

Mr. INGALLS. Let the order be read again.

The PRESIDENT *pro tempore*. The order will be read as proposed to be amended.

The Chief Clerk read as follows:

*Ordered*, That the papers in the case of Edway A. Garret, late postmaster at Fargo, Dak. (Senate bill No. 257), be taken from the files of the Senate, there being no adverse report.

The PRESIDENT *pro tempore*. The Senator from Minnesota proposes to strike out the clause "for the purpose of being referred to the Committee on Claims of the House of Representatives."

Mr. EDMUNDS. He has a right to modify it.

The PRESIDENT *pro tempore*. The order will be considered as modified, there being no objection.

On motion of Mr. JONES, of Nevada, it was

*Ordered*, That the papers in the claim relating to the equitable and legal rights of parties in possession of certain lands and improvements thereon in California be taken from the files and referred to the Committee on Claims.



On motion of Mr. HAWLEY, it was

*Ordered*, That the papers in the case of James Belger be withdrawn from the files and referred to the Committee on Military Affairs.

#### GORDON'S LANDING BREAKWATER.

Mr. EDMUNDS submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of War be, and he hereby is, directed to report to the Senate any information in his possession concerning the utility of a breakwater at Gordon's Landing, on Lake Champlain, in Vermont, with an estimate of the cost of a suitable structure at that place.

#### GEORGETOWN AQUEDUCT BRIDGE.

Mr. BUTLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of War be directed to cause to be made a careful examination of the Aqueduct Bridge at Georgetown, and report its present condition, especially as to its safety for ordinary travel when the aqueduct is filled with water.

#### PLANTS AND SHRUBS FOR PENSION BUILDING.

Mr. BECK. I desire to enter a motion to reconsider the vote whereby House joint resolution 71 was passed by the Senate yesterday, it being a joint resolution authorizing the Superintendent of Public Buildings and Grounds in the District of Columbia, and directing him as well, "to supply, and to keep supplied, from the public greenhouses and nurseries, the vases around the interior court of the Pension building with plants and shrubs suitable thereto."

My object in asking for a reconsideration is to have an explanation from the Committee on the Library in regard to that resolution. I happened to meet the Superintendent of Public Buildings and Grounds last night, and speaking about matters altogether disconnected with this measure, he said to me that we should have to make an appropriation of \$1,600 more for him this year; that as soon as the joint resolution had passed the other House he had an examination of the vases made, the cost and everything else, and it would require \$1,600 to do it. He said that he had made an official statement of that and furnished it to the committee with a request that they should lay it before the Senate. When they do lay it before the Senate and explain it perhaps I shall vote for the joint resolution, but I insist that a committee having that information as to the cost ought to give it to us, so that we may vote with our eyes open and not have a controversy in the Committee on Appropriations as to the propriety of voting money to carry out the law. For the purpose of having that explanation, as I do not see the Senator from New Jersey [Mr. SEWELL] in his seat who reported the joint resolution in the Senate, all I ask now is to enter the motion to reconsider, and perhaps he will give the information that will satisfy me.

The PRESIDENT *pro tempore*. The Senator from Kentucky enters a motion to reconsider the vote by which the Senate yesterday passed the joint resolution (H. Res. 71) authorizing the Superintendent of Public Buildings and Grounds in the District of Columbia to supply plants and shrubs to fill certain vases in the Pension building.

Mr. MORRILL. I think in relation to this matter there ought to be further inquiry, to know what kind of plants it is necessary to supply, whether the Pension building is to be kept as a greenhouse or hot-house, with sufficient heat there to preserve the plants during the winter season. I think it would be very difficult to do that, as it would cost a great deal of money for coal alone to supply the interior of that immense building in order to protect the plants.

Mr. BECK. I only desire to say to the Senator from Vermont that I was advised by the Superintendent that in the present condition of that building it would be absolutely impossible during the winter season to comply with the joint resolution unless a fresh supply is furnished after each frost.

The PRESIDENT *pro tempore*. The Chair informs the Senator from Kentucky that it will be necessary to recall the joint resolution from the House of Representatives, as it has gone to that body.

Mr. BECK. I will make the request, in connection with the motion to reconsider, that the other House be requested to return the joint resolution to the Senate.

The PRESIDENT *pro tempore*. That order will be made if there be no objection.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 2889) to annex a portion of the Territory of Idaho to Washington Territory; and

A bill (H. R. 4833) relating to the taxation of fractional parts of a gallon of distilled spirits.

#### ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. The Calendar is now in order.

Mr. BLAIR. I desire to ask the Senate to proceed to the consideration of the educational bill at this time in the hope that we may complete action upon it to-day, and I shall ask the Senate to remain even beyond the ordinary hour of adjournment for that purpose.

The Senator from Oregon [Mr. MITCHELL], it will be recollected, a few days ago gave notice that yesterday he would desire to occupy the attention of the Senate in remarks upon the bill touching the Chinese question. Sickness prevented his being present at that time. He is in the Chamber this morning, and was desirous to proceed with his address to the Senate at this time, but in conversing with him I find that his health is still poor, and he is not really in a condition in which he ought to address the Senate.

The PRESIDENT *pro tempore*. It is the duty of the Chair to remind the Senator from New Hampshire that a motion to proceed to the consideration of the educational bill is not debatable.

Mr. BLAIR. I understand that; but it seemed only just to make the statement that the Senator from Oregon desires the opportunity of being heard to-morrow morning after the completion of the morning business, at the time when the Calendar would naturally be taken up; and I desire at this time to proceed to the consideration of the educational bill, and that the Senator from Mississippi [Mr. GEORGE], who has the floor upon that bill, may proceed with his remarks.

Mr. PLUMB. Mr. President—

The PRESIDENT *pro tempore*. The Chair must remind Senators that the motion is not debatable.

Mr. PLUMB. I wish to ask the Senator from New Hampshire to withhold his motion for a moment until I can make a statement.

Mr. BLAIR. Certainly.

Mr. PLUMB. I had designed this morning to ask the Senate to take up the bill (S. 149) forfeiting a part of certain lands granted to the State of Iowa to aid in the construction of railroads in that State, and for other purposes, which is a very important bill, and for various reasons it is very desirable that it should be considered at once; but the Senator from Minnesota [Mr. McMILLAN], who is interested in the measure, is not able, as he states, to take the part in the debate which he desires to take. On his suggestion I think that I shall not make that motion to-day, but I wish to say to the Senate that to-morrow, when the time for the consideration of the Calendar shall have arrived, I shall move the Senate to proceed to the consideration of the bill.

Mr. BLAIR. I wish to say in this immediate connection that the Senator from Oregon came to the Chamber hoping to be heard this morning, although really in such a physical condition that he ought not to be obliged to address the Senate; and he consented to this motion of mine to take up the educational bill at this time in the hope that he might address the Senate to-morrow morning in the morning hour. If he prefers to go on at this time, unless he could have the floor to-morrow, I shall not press the educational bill until 2 o'clock.

§ [Mr.] DAWES. If the Senator will allow me, before he renews his motion I wish to make a suggestion.

The PRESIDENT *pro tempore*. The Chair will have the pending bill on the Calendar reported by its title. The matter will then be open to five minutes' debate.

The CHIEF CLERK. A bill (S. 18) for the relief of Pearson C. Montgomery, of Memphis, Tennessee.

Mr. DAWES. I was about to ask a favor of the Senator from New Hampshire. I have been necessarily absent from the Senate for two days. When I was last in the Senate the Indian severalty bill was pending in the morning hour. I think the debate is entirely exhausted upon it. I wish the Senator would let me try the experiment and see if it will not go through without further debate before he calls up the educational bill.

Mr. BLAIR. I have no objection to withholding my motion for that purpose.

Mr. DAWES. That bill is nearly at the head of the Calendar, and if there is any extended debate I shall yield to the Senator's motion.

Mr. BLAIR. I have no objection to that course.

Mr. HOAR. I ask unanimous consent that the first two cases on the Calendar, which have gone over in consequence of the absence of the Senator from New Hampshire [Mr. PIKE], which are in his charge, may go over now without prejudice.

Mr. VOORHEES. Unless we can transact some business on the Calendar I shall have to object to postponing it.

Mr. HOAR. This is transacting business on the Calendar.

Mr. VOORHEES. I understand that. My remark was not aimed at the Senator from Massachusetts, but at the suggestion of the Senator from New Hampshire.

Mr. HOAR. I wish the Senator would allow this unanimous consent to be given, so as to get those matters out of the way.

Mr. VOORHEES. Certainly.

Mr. HARIS and Mr. INGALLS. Unanimous consent to what?

Mr. HOAR. I ask unanimous consent that the first two measures on the Calendar, which are measures in the charge of the Senator from New Hampshire [Mr. PIKE], may go over without prejudice.

The PRESIDENT *pro tempore*. A single objection is sufficient to put them over. The first two cases on the Calendar will go over without prejudice if there be no objection.

Mr. INGALLS. Do I understand the Senator from New Hampshire to suggest that the final vote on the educational bill shall be taken to-day?



Mr. BLAIR. If possible to reach it. Of course that is a matter wholly in the control of the Senate. I thought that by beginning about this time we could probably get through with the bill by perhaps resuming a little beyond the usual hour of adjournment. Perhaps it will not be necessary for the Senate to remain longer than usual.

The PRESIDENT *pro tempore*. The next case on the Calendar will now be reported.

Mr. BLAIR. I do not withhold my motion, unless in deference to the suggestion of the Senator from Massachusetts [Mr. DAVIS] and that the Senator from Oregon [Mr. MITCHELL], who wishes to address the Chair, may give a notice.

The PRESIDENT *pro tempore*. The first case now on the Calendar will be reported, when a motion will be in order.

The CHIEF CLERK. A bill (S. 66) to provide for the allotment of lands in severalty to Indians on the various reservations and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes.

The PRESIDENT *pro tempore*. Does the Senator from New Hampshire submit a motion to proceed to the consideration of the educational bill?

Mr. BLAIR. I yield to the Senator from Oregon.

Mr. MITCHELL, of Oregon. In connection with the statement made by the Senator from New Hampshire I desire to give notice that tomorrow morning, after the completion of the meeting business, I shall request the Senate to proceed to the consideration of what is known as the Chinese bill, for the purpose of enabling me to submit some remarks upon that measure.

Mr. TELLER. I do not object to the Senator from New Hampshire taking up his educational bill, but I do object to setting any time for a vote.

Mr. BLAIR. I did not ask that.

Mr. TELLER. I think we should have a fair opportunity to discuss the bill.

Mr. VOORHEES. I am a friend of the bill that the Senator from New Hampshire has in charge, but after an experience in this body of some years now I am satisfied that the best interests of the public service require the time usually given to the Calendar. The Calendar contains the undivided work of committees, and each measure pending upon the Calendar is entitled to the consideration of the Senate whenever it is reached. It does seem to me that when a bill has the right of way from and after 2 o'clock without interruption it has enough of an advantage. I say this as a friend of the bill. I would suggest to the Senator from New Hampshire that he had better let the interests of the Calendar be attended to during the little time that remains for it, and then go on with his measure.

Mr. BLAIR. The suggestion of the Senator from Indiana—The PRESIDENT *pro tempore*. The Chair must still remain seated. That the motion is not debatable.

Mr. BLAIR. I yield to the suggestion of the Senator from Indiana, but I wish to say that I am very desirous, as the Senate is, of completing the consideration of the educational bill. However, I suppose we shall probably save time by waiting until 2 o'clock.

#### LANDS IN SEVERALTY TO INDIANS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 66) to provide for the allotment of lands in severalty to Indians on the various reservations and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes.

The PRESIDENT *pro tempore*. The pending question is on the amendment offered by the Senator from Texas [Mr. MAXWELL], which will be read.

The CHIEF CLERK. In section 7, after the word "law," in line 8, it is proposed to strike and all down to and including the amendment agreed to at the end of the section, as follows:

And every Indian born within the territorial limits of the United States to whom allotments shall have been made under the provisions of this act, and every Indian born within the territorial limits of the United States who has voluntarily taken up, within said limits, his residence upon and apart from any tribe of Indians therein, and has adopted the habits of civilized life, is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges, and immunities of such citizens, whether said Indian has been or not, by treaty or otherwise, a member of any tribe of Indians within the territorial limits of the United States, whether in any manner recognizing or otherwise affecting the right of any such Indian to tribal or other property.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. TELLER. Some days ago I offered an amendment to the bill, which I should like to have considered.

The PRESIDENT *pro tempore*. The amendment has not been offered. The bill is open to amendment.

Mr. TELLER. I offer the amendment now.

The PRESIDENT *pro tempore*. In what part of the bill does the Senator propose to insert the amendment?

Mr. TELLER. At the end of section 7. It is immaterial precisely where it comes in.

The PRESIDENT *pro tempore*. The amendment will be read.

The CHIEF CLERK. It is proposed to add to section 7 the following provision:

*Provided*, That the President may, in his discretion, allow homestead settlements by citizens of the United States on such obsolete grant sections, under such rules and regulations as shall secure to the Indians their allotments as herein provided for, and a proper enforcement of the homestead laws; and for all lands so taken for homesteads by citizens of the United States there shall be proper compensation made to the Indians owning such lands under treaty stipulations or by act of Congress.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Colorado.

Mr. TELLER. Mr. President, I do not intend to spend any time in discussing this question, it has been so thoroughly discussed already. I only want to repeat what I have before said on various occasions, that in my judgment the benefits to be derived from this bill are very remote and are of very doubtful character. I know that for some years it has been the cry of the friends of the Indians all over the country that what was lacking was title to their lands, and that as soon as they acquired the title to their lands and a certainty that they would not be disturbed in their possession, then that time on they would enter rapidly upon the road of progress. I will admit that after a careful examination of this question I am satisfied that a great deal of trouble has arisen from the fact that the Indians have not been secure, not so much in their land as in their location, that they have been moved from one place to another as the necessities of civilization and settlement imperatively demanded their absence instead of their presence.

This bill, introduced originally by the chairman of the committee several years since, has passed the Senate substantially in its present form on several occasions. The bill of itself substantiates questions of abatement to the direction of the President, may not be used to the injury of the Indians; but it is a fact, which can not be disputed and which ought not to be overlooked, that so far as we have gone into the business of allotting lands to Indians, commencing many years ago down to the present time, the practical result has not been at all favorable. Little, if any, advantage has ever resulted from the allotment of lands in severalty. It never will, in my judgment, result in benefit to the Indians until such time as they shall have made some considerable progress in civilization.

The bill is based upon a false idea, and that is the old idea which has prevailed from the very commencement of our national dealings with the Indian tribes, that it is absolutely necessary for the preservation and welfare of the Indian that he be isolated from the white man, that he be kept from contact with civilization.

The honorable Senator from Kansas [Mr. INGALLS] the other day in discussing the educational bill took occasion to speak of the marvelous progress which had been made by the black race in civilization in this country in the last two hundred years. The black race, if it had been treated exactly as we have treated the red race, would be just in the state to-day. I have no doubt, that it was when it was brought into this country. No considerable progress would have been made if the black race had been isolated from the white people this government, but, on the contrary, the system of servitude brought them in daily contact with the white people, and in a very short time they had forgotten their barbarism, they had forgotten the language of their native land, and they spoke in the language of their task-masters and in that alone, brought into daily contact as house servants, as the companions in some sense of the children of their white masters, they took in, as all people do by contact and as few people have ever taken in except by contact, the civilization that surrounded them. The Indian, on the other hand, has been kept from civilization by the provisions of law. It has been a crime for a white man to go upon his reservation; it has been a crime for a white man to sit down by his side for the purpose of teaching him civilization and progress, and the race will remain in its present ignorance and degradation just so long as in this country we maintain the stupid idea that the red man will be overcome by the virus of civilization and will be destroyed by contact with civilization and with Christianity. We set upon great trunks of country, engines in excess, and we devote the entire territory to ignorance, to degradation, to servitude, and we look the door against enterprise, against civilization and religion, and then we wonder at the end of a decade why no progress has been made by the Indians.

I object to this bill, because it is a continuation of a system that one hundred years of effort on our part to civilize and Christianize the Indians under have demonstrated our inability so to do. I suggested on a former bill the opening of the country, the putting aside by side with the Indian farmer of a white farmer and the admission of the same—the admission to the presence of the Senate then (and I was glad to do it, because that was one step at least in advance) that the day of the isolation of the Indian was past. It is past; it has passed; it has gone by. We can not longer teach the Indian if we desire to do it, but we ought not to desire it. The railroads that are being constructed in every section of the country by the sale of reservations and across reservations will bring these people in contact with the white elements; and I say it is the duty of the friends of the Indian to take hold and see to it that they are brought into contact with the better class of whites and the better element of our civilization. No better element can be found than the men who go out and settle upon the public lands, and

make for themselves honest homes. Give to our people, under such discretion as the President may exercise, the right to go upon the Indian lands and make, side by side of the Indian farm, a farm tilled by the aggressive and enterprising Anglo-Saxon, and in a little while contact alone will compel these people to accept the civilization that surrounds them on every side.

Isolate them as we have done, and they will continue as they are, although you may establish schools and churches and give them the missionary effort, and it will take ages under the present system to civilize and Christianize them. But if you can put them in the midst of an intelligent community you will have them civilized in a few years. With white settlers on every alternate section of Indian lands, there will be a school-house built, with Indian children and white children together; there will be churches at which there will be an attendance of Indians and of white people alike. They will readily learn the tongue of the white race. They will for a while speak their own language, but they will readily learn the ways of civilization.

I have, therefore, with but little hopes that the Senate will make such an innovation, but for the purpose of insisting and emphasizing as fully as I could the absurdity of continuing the old system, introduced this amendment, and unless it is accepted by the chairman of the committee who has this bill in charge I should be pleased to have the vote of the Senate and see whether the Senate are in favor of the old policy or whether they are willing, under the discretion that the Chief Executive may exercise, to start upon a new and what I think is a better plan.

Mr. DAWES. Mr. President, if the Senator from Colorado will modify his amendment by inserting in the third line of it, after the word "quarter-section," these words, "of lands upon any reservation established by executive order," I will aid him in getting it a part of this bill.

I have already said, as the Senator has intimated, that the idea upon which the amendment is based is I think the true idea. The idea of as far and as fast as possible putting the Indians among civilized people and giving them the advantage of the example and the contact and the association and every other stimulus connected with civilization promises better success than any other idea that has obtained in reference to the Indians; and therefore just so far as it can be done I am desirous of co-operating with the Senator in this idea to the extent of its application to the reservations established by executive order. It is perfectly easy, it intrenches upon no right, it disturbs no established and fixed settlement in the mind of the Indians, no title; but if you apply it to all the reservations you at once attack vested rights. The treaty reservations and the statute reservations are held by a title on the part of the Indian that it is not right for us to authorize the Secretary of the Interior to invade.

And furthermore, all this is an experiment. I am not one of those who believe that we have at any time invented a new and perfect way that will solve this question. This only gives promise, and I think an earnest and well-assured promise of working out the problem. It may not work it out as well as we hope it may. It will, I am confident, go a great way in that direction.

The idea which the Senator has suggested in his amendment is one of the ideas incorporated in this mode of trying to make something of the Indian, in my opinion a wise one, which ought to be carried as far as it can. It can be tried upon the executive-order reservations without infringing upon any rights, without disturbing any Indian with the idea that we are trying to get his land away from him. That is the greatest obstacle in the way of any attempt to make something out of the Indian at this time, the universal distrust on the part of the Indians holding land by treaty and by statute that the United States, in all its measures, has lurking under them some method by which his land is to be wrested from him.

The suggestion of the Senator is that the Secretary of the Interior can walk upon any Indian reservation held by the solemn title of a treaty, whether the Indians will or not, and take alternate sections, as many or as few as he pleases, and put white men right in among them. There is a reservation where this can be done, and where, when it is done, I believe it will be with all the beneficial effects suggested by the Senator. But there are reservations where it would work great injury, not only to the specific Indians, but to all attempts to get the Indian so that he will accept it, so that he will take from us in the spirit in which we propose it this beneficent measure of ours. True, it being left to the discretion of the Secretary of the Interior, he may not think it wise, and probably will not, to invade such reservations against the will of the Indian; but the fact that he has the power, in the hands of the enemies of this measure would be held up before them as a matter of alarm, of concern and distrust. Any agent of the Department going among the Indians clothed with such power, whether he proposed to exercise it or not—the fact of his merely going there to see if he could—would be considered as the enemy of the Indian and be driven out in some way or other.

Now I suggest to the Senator to be content with the application of it to the executive-order reservations, and then I will do what I can to help him to get it incorporated in the bill; otherwise, and simply for the reasons I have suggested, I should hope that the Senate would not adopt the amendment in its broad sense.

Mr. TELLER. I have not any doubt of the right of the Executive on an executive-order reservation to do the very thing provided for in this bill; but it is such an innovation upon existing practice and upon existing ideas that the executive officer who should try to do it would have quite as much courage, I think, as the greatest military leader.

I want to see this principle applied to all reservations because the great mass of Indians are not on executive order reservations; the great mass of Indians are on reservations established either by treaty or by act of Congress; and we are not now treating, as we were the other day, with the Sioux tribe. This is a general statute upon which the Indians do not even have a veto. The eleventh section of this bill has been stricken out which provided that they might pass upon the question whether they would accept it or not. We are now making a general law for the government of all the Indians in the United States, and I think it is an appropriate time to announce to the world that we have departed from the old and obsolete idea that civilization was not as good as savagery, that Christianity can not come in contact with heathenism without the heathen suffering.

If the honorable Senator is tenacious and is afraid that the President of the United States will ever invade their reservation and take their lands without their being compensated, I am willing that he shall amend my amendment by putting in words which will require the compensation to be made before the land is taken. I am willing to add:

Before such settlement shall be made compensation shall be provided for.

I do not desire by legislation to deprive the Indians of any property rights they may have. I only want to put it in the power of the executive officers of the country to do the most good that can be done to that unfortunate people. I know that the great hindrance that the Department to-day finds in dealing with the Indian is that there is not proper discretion lodged in the hands of the executive branch of the Government. They have been tied up by legislative rules in such a way that they may see one part of a tribe have luxurious living while another starves, without the ability to divert the appropriations from one to another except to a limited extent; and a rule that the Department would be satisfied may work great good it is precluded from adopting, because there is no legislative authority extended to it to do so.

Every act of the executive department in its dealing with the Indians is hedged about by legislative restrictions. Discretion there is none, and I do not believe there is a department of the Government in which there is so much restriction and so much hedging about the department as there is in the Interior Department in dealing with the Indians. I want to remove some of that; and I want to place proper power in the hands of the executive officers who are responsible to the whole people of the United States with reference to this subject.

I know that it has been thought that this subject can not be dealt with except in the legislative halls, and that it is not safe to intrust it to what the quickened conscience of the whole people of the United States demands from every executive officer, exactness in conduct and rectitude in purpose when he deals with Indians, which it does not demand in any other department of the Government. There is no danger that any man who administers the office of Secretary of the Interior will ever invade the rights of the Indians. He may, and he will if he is an intelligent man, run counter to the Indian Rights Association, or the Indian Defense Association, or the people who know nothing of Indians except as they have learned it through Fenimore Cooper's novels or some authority of that character. There is no such danger.

If the Senator thinks it is necessary to provide compensation before the lands are taken, I am willing he should offer that amendment, or if my amendment should be acceptable with that clause added to it, I should be glad to make that change myself.

Mr. DAWES. If the Senator does not feel like adopting the amendment I suggested, I hope the Senate will vote down his amendment.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Colorado.

Mr. MORGAN. I wish to say a word, more to call the attention of the Senator from Colorado than anything else. The proposition that he presents in this amendment is one that if it were carried into the statutes would require very great elaboration and detail. It ought to be the subject of a separate bill. This subject has not been brought to the attention of the Committee on Indian Affairs. It is put for the first time before the Senate, as I understand, by this proposed amendment late in the consideration of this bill.

Now, there is one feature of this amendment which I wish to call to the special attention of the Senator from Colorado:

Under such rules and regulations as shall secure to the Indians their allotments as herein provided for, and a proper enforcement of the intercourse laws.

How would it be possible that the Secretary of the Interior could provide rules and regulations for the proper enforcement of the intercourse laws when the whole of the reservations of the Indians were spotted over with white men who had settled there and had got title to the property? "Alternate sections." The Senator says it must be in alternate sections. I do not know whether the Indians are to take the odd-numbered or the even-numbered sections, or when the Indian



has made his location then the alternate section on which an Indian is located may not be devoted to the homestead of a white man.

The measure which the Senator proposes here must be one of growth. Of course we know that all this western country at some future day must be populated jointly by Indians and white people; but until the Indians get into condition where they can be protected against the white men who would sell them whisky, sell them powder and shot, and out-deal them in all their transactions, it is the duty of the Government of the United States to preserve them in some form or other until they have matured sufficiently to become able to control their own domestic affairs; I mean their household affairs, and manage their own property.

I do not know of anything that could be worse to-day than to settle the Arapaho and Cheyenne and Kiowa and Comanche Indians upon allotments of land in severalty throughout that broad expanse of the Indian country; and then to allow white men to go in and take the alternate sections. They are confirmed savages; a great many of them are almost wholly untutored; they are not fit for civilized society, and men with nice families and who desire to prosper in the world would not be very apt to go in there. We should get a ruffian class of population among those Indians, and we should be in so much trouble with them that we should not get clear of it in fifty years to come, in my opinion. I hope the Senator will be content to frame a bill, for which he will receive support as has been indicated in the Senate from various quarters, moving upon this subject gradually. Let his bill first apply to those Indian reservations where the Indians have some knowledge of affairs, and where they are calculated in some sense to take care of themselves. We can provide by law so that the white people can go and settle among them, and doubtless many of the tribes would welcome the white people among them; but to make a broadcast measure of that kind and to leave it to the discretion of the Secretary of the Interior to indulge in legislation of the most important character by the mere adoption of rules and regulations, it seems to me would be a very unfortunate movement at this time.

I hope the Senator will not press his amendment.

Mr. TELLER. I wonder the Senator from Alabama overlooked the fact that the intercourse laws with rare exceptions—and those in the Indian Territory—are not Territorial in their character. The intercourse laws depend upon the relation that the Indian bears to the General Government. If he is a member of a tribe it is as much an offense against the intercourse laws to sell him ardent spirits in the city of Washington as it would be on his reservation. Therefore there can be nothing in that objection, because if every other settler was a white man in a reservation, a sale by a white man or an Indian on the reservation or off the reservation of intoxicating drinks to an Indian is a violation of the intercourse laws.

I admit that this is a subject which will require some detail; I understand that. What I complain of is that any law which we might attempt to pass through this body would necessarily require so much detail that it would be very doubtful whether we should ever get it passed, and if we did whether with all the wisdom of this body and all the wisdom that could be thrown upon it by the other House it would not be found in practical operation that there had been some things omitted. In my judgment the whole subject can better be remitted to the executive department of the Government under the general authority of a statute which says you may do this, subject to such conditions as you think will promote the interest and welfare of the Indians. I do not suppose any Secretary would think of putting now in the present condition of things white people in the Cheyenne territory. That would be a question of discretion for the executive department of the Government. I think we may safely leave all such things to the executive department, and not attempt to provide in detail for every little thing that might arise in the carrying out of such a principle.

The PRESIDENT *pro tempore*. The question is on the adoption of the amendment proposed by the Senator from Colorado.

The amendment was rejected.

Mr. MAXEY. I call the attention of the chairman of the Committee on Indian Affairs to section 9. In that section I move to strike out, from line 2, the words "reservations of" and insert "territory occupied by;" so that the section will read:

SEC. 9. That the provision of this act shall not extend to the territory occupied by the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, and Osages in the Indian Territory, nor to any of the reservations of the Seneca Nation of New York Indians in the State of New York.

Mr. DAWES. That is a verbal correction and it ought to be made.

Mr. MAXEY. I wish to state why I offer the amendment, in order to put the reason on record.

The word "reservations" in that connection is a very broad expression. By striking out the word "reservations," which has a fixed idea of title, and inserting "territory," we reach the object.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Texas.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The word "provision," at the beginning of the sentence, will be changed to "provisions," if there be no objection.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILBUR F. STEELE.

The PRESIDENT *pro tempore*. The next bill on the Calendar will be stated.

The bill (S. 1223) for the relief of Wilbur F. Steele was announced as next in order.

Mr. COCKRELL. Let that be passed over without prejudice.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice if there be no objection.

ARKANSAS HOT SPRINGS.

The next business on the Calendar was the resolution reported by Mr. BERRY, from the Committee on Public Lands, February 1, 1886, relative to bath-house and hot-water privileges on the Government reservation at Hot Springs, Ark.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read the resolution.

The resolution was reported from the Committee on Public Lands with an amendment, to strike out the words "until proper legislation is had with reference thereto" and insert "until the Forty-ninth Congress shall adjourn without having legislated with reference thereto," so as to make the resolution read:

Whereas the leases heretofore made of the bath-house and hot-water privileges upon the reservation of Government lands at Hot Springs, Ark., have expired by limitation of law; and

Whereas the Attorney-General of the United States has given an opinion that such lease may be renewed by the Secretary of the Interior without additional legislation:

Be it resolved by the Senate of the United States (the House of Representatives concurring), That in the opinion of Congress such leases of bath-house and hot-water privileges should not be renewed by the Secretary of the Interior unless the Forty-ninth Congress shall adjourn without having legislated with reference thereto.

The amendment was agreed to.

The resolution as amended was agreed to.

STATUES TO COLUMBUS, LAFAYETTE, AND JAMES A. GARFIELD.

The joint resolution (S. R. 35) setting apart public reservations for statues to Columbus, Lafayette, and James A. Garfield was considered as in Committee of the Whole.

Mr. MORRILL. I believe there will be no objection to the passage of this joint resolution at the present time.

The joint resolution was reported to the Senate without amendment.

Mr. SEWELL. I should like the Senator from Vermont to explain the joint resolution. Under the act authorizing the Garfield statue the commission appointed was authorized to select the ground for its location, and they did locate it and they made a contract for the statue. I am afraid if we change the location it may interfere somewhat with the contract. I think myself that notwithstanding there are a number of bills for the location of statues, they ought all to be in charge of the Committee on Public Buildings and Grounds so as to secure uniformity in the selection.

Mr. MORRILL. There will be no sort of difficulty in changing the location so far as the artist is concerned. I desire to say further, in relation to the contract of the Secretary of War with the artist, that it is provided that it shall have only an excavation of 6 feet. That will be entirely insufficient. The naval monument had to have an excavation of over 30 feet.

Mr. EDMUNDS. Why did he make the contract, then?

Mr. MORRILL. I do not know. Under the circumstances it would be well to change the contract, and there is not the slightest doubt of the willingness of the artist to make the change.

The joint resolution was ordered to be engrossed for a third reading, and was read the third time.

Mr. CONGER. On the passage of the joint resolution I ask for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. COCKRELL. My colleague [Mr. VEST] is still detained at home by serious illness. I am generally paired with the Senator from Iowa [Mr. ALLISON]. Did he vote on this question?

Mr. ALLISON. I did not.

Mr. COCKRELL. On general questions I am paired with the Senator from Iowa, and as he did not vote I believe I will vote "nay."

Mr. SEWELL. I ask the Senator from Vermont if he will not agree to a reconsideration of the vote by which the joint resolution was ordered to a third reading for the purpose of amending the resolution so as to give charge to the Committee on Public Buildings and Grounds. I think it is proper they should have the selection of all the sites and not have a separate commission in each case.

Mr. EDMUNDS. Debate is not in order. The roll-call must be concluded.

Mr. MILLER, of New York. On political questions I am paired with the Senator from North Carolina [Mr. RANSOM], but I presume this is not considered such, and to make a quorum I will vote "yea."

The result was announced—yeas 31, nays 12; as follows:

## YEAS—31.

Beck,	Edmunds,	McMillan,	Sabin,
Berry,	Gibson,	Mahone,	Sewell,
Blackburn,	Gray,	Miller of N. Y.,	Spooner,
Blair,	Hampton,	Mitchell of Oreg.,	Stanford,
Brown,	Harrison,	Morgan,	Walthall,
Call,	Hawley,	Morrill,	Wilson of Iowa,
Colquitt,	Hoar,	Payne,	Wilson of Md.
Dawes,	Logan,	Plumb,	

## NAYS—12.

Allison,	Conger,	Harris,	Saulsbury,
Bowen,	Dolph,	Manderson,	Sherman,
Cockrell,	Hale,	Platt,	Teller.

## ABSENT—33.

Aldrich,	Fair,	Kenna,	Riddleberger,
Butler,	Frye,	McPherson,	Sawyer,
Camden,	George,	Maxey,	Vance,
Cameron,	Gorman,	Miller of Cal.,	Van Wyck,
Chace,	Ingalls,	Mitchell of Pa.,	Vest,
Coke,	Jackson,	Palmer,	Voorhees.
Cullom,	Jones of Arkansas,	Pike,	
Eustis,	Jones of Florida,	Pugh,	
Evarts,	Jones of Nevada,	Ransom,	

So the joint resolution was passed.

ALBERT H. EMERY.

The bill (S. 929) for the relief of Albert H. Emery was announced as next in order.

Mr. EDMUNDS. That will have to go over.

The PRESIDENT *pro tempore*. The bill, being objected to, will be passed over.

Mr. HOAR. I hope it will be passed over without prejudice.

Mr. EDMUNDS. I have no objection to that; but it is one of the matters that will have to be debated. I do not object to its keeping its place.

The PRESIDENT *pro tempore*. The bill will be passed over informally, retaining its place on the Calendar.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a joint resolution (H. Res. 124) to print 31,000 copies of the eulogies on Thomas A. Hendricks, late Vice-President of the United States; in which it requested the concurrence of the Senate.

## ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore*:

A bill (S. 150) to quiet title to settlers on the Des Moines River lands, in the State of Iowa, and for other purposes;

A bill (H. R. 3827) to remove the political disabilities of Thomas L. Rosser, of Virginia;

A bill (H. R. 3846) to remove the disabilities of Alexander P. Stewart, of La Fayette County, Mississippi; and

A bill (H. R. 4409) to remove the disabilities of Edward G. W. Butler, of Missouri.

## ASSISTANT SECRETARY OF THE NAVY.

The bill (S. 1302) authorizing the appointment of an assistant Secretary of the Navy, and fixing the salary for the same, and for other purposes, was announced as next in order.

Mr. PLUMB. I object to the consideration of that.

The PRESIDENT *pro tempore*. The bill, being objected to, goes over under the rule.

## CRIMES BY INDIANS.

The bill (S. 1100) to amend the ninth section of an act entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1886, and for other purposes," approved March 3, 1885, was considered as in Committee of the Whole. It proposes to amend the section named so as to read:

Sec. 9. That immediately upon and after the date of the passage of this act all Indians committing against the person or property of another Indian or other person any of the following crimes, namely, murder, manslaughter, rape, assault with intent to kill, arson, burglary, or larceny, within any Territory of the United States, and either within or without an Indian reservation, shall be subject therefor to the laws of such Territory relating to said crimes, and shall be tried therefor in the same courts and in the same manner, and shall be subject to the same penalties, as are all other persons charged with the commission of said crimes respectively; and the said courts are hereby given jurisdiction in all such cases: *Provided*, That in all cases where any of said crimes shall be committed against the person or property of another Indian the judge of the court before which such Indian may be tried shall certify to the Attorney-General of the United States the cost of the apprehension and trial of such Indian, and the Attorney-General shall cause the same to be reimbursed to the Territory, or any county thereof, incurring the same, out of funds that may be available or appropriated for that purpose: *And provided further*, That the cost of the support and maintenance of Indians convicted of any of said crimes against the person or property of another Indian, and sentenced to imprisonment, shall be borne by the United States. And all Indians committing any of the above crimes against the person or property of another Indian or other person within the boundaries of any State of the United States and within the limits of any Indian reservation, or within the limits of any portion of the Indian Territory and not set apart for and occupied by the Cherokee, Creek, Choctaw, Chickasaw, or Seminole Indian tribes, shall be subject to the same laws, tried in the same courts and in

the same manner, and be subject to the same penalties as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States.

Mr. EDMUNDS. I should like to ask the chairman of the Committee on Indian Affairs to explain this matter; and we can see what the law was before.

Mr. DAWES. In the last Congress in an appropriation bill was inserted a provision making Indians who commit offenses against Indians upon reservations and outside the reservations amenable to the criminal laws of the country as to certain crimes specified, the same crimes which are specified in this bill. In putting it into practical operation it has been found to work in this way, that the Indians upon reservations are taken to a court in some county that has no Indian reservation in it, and the costs of the trial all fall upon that county. Not only is the burden a great deal, but the public sentiment in the county against the prosecution comes from that source to be so great that it paralyzes the law.

The Interior Department had its attention called to this as well as the Indian Committee, and at the suggestion of some members of the committee the law officers of the Government prepared this bill which merely causes the costs of such prosecutions to be paid on the certificate of the Attorney-General, out of the Treasury of the United States. They can not be paid out of the treasury of the county where the crime is committed, because that is an Indian reservation; and they must be paid out of the taxable property of the poor county that holds the court unless they are paid in this way. That is all there is to it.

Mr. EDMUNDS. I should like a minute to see what the old law is.

Mr. PLATT. Let me inquire whether the effect of this bill is to enlarge the jurisdiction of the Territorial courts?

Mr. DAWES. Not at all. This bill follows the words of the existing law except as to the question of costs. It would have been proper, I may add, to have this bill go to the Committee on the Judiciary; but it was thought, as the Committee on Indian Affairs had knowledge of the evils, they were so apparent, that the Committee on the Judiciary would have more trouble in finding out the meaning of the thing than they would in acquiescing.

The bill was reported to the Senate, ordered to be engrossed for a third reading, read the third time, and passed.

## UMATILLA INDIAN LANDS.

The bill (S. 1210) authorizing the Secretary of the Interior to make sale of certain lands of the Umatilla Indian reservation, in Oregon, to William S. Byers and others, and to issue patents therefor, was considered as in Committee of the Whole.

The bill proposes to authorize the Secretary of the Interior to have an amount of land, not to exceed 20 acres, upon the Umatilla Indian reservation, in Oregon, immediately adjoining on the east a tract of 640 acres set apart as an additional town site for the town of Pendleton by an act of Congress, approved August 5, 1882, surveyed by the surveyor-general of Oregon in such shape as will best embrace and secure the mill-race and water-head of William S. Byers, Robert G. Thompson, and Jeremiah Barnhart, as the same is now located and used in connection with their mill in the town of Pendleton, and, when such survey shall have been completed, to have the lands included within the limits thereof appraised by the surveyor-general at their actual value, and thereupon to have the plat and field-notes of such survey and the amount of the appraisement of such lands returned to and filed in the office of the Secretary; and thereupon, and upon the approval thereof by the Secretary, it shall be lawful for him to make sale of the lands at their appraised value to Byers, Thompson, and Barnhart; and upon payment by them in full of the purchase price thereof, together with all costs and expenses incurred in the premises, the Secretary shall cause a patent to be issued to them for the lands purchased. The moneys to be realized from the sale of the lands are to be placed to the credit of the confederated tribes of the Umatilla, Walla Walla, and Cayuse Indians, now resident upon the reservation, and be held and managed in like manner and in connection with similar funds now existing.

Mr. EDMUNDS. Is there any report about that?

The PRESIDENT *pro tempore*. There is no written report. The bill is reported by the Committee on Indian Affairs with an amendment. The amendment will be read.

The CHIEF CLERK. It is proposed to add to the bill:

*Provided*, That this act shall in no way impair or affect any existing right to a reasonable use of the water of said stream for agricultural purposes, nor shall confirm or grant any right to use the water thereof in any manner nor to any extent beyond or different from that to which it has been heretofore appropriated.

Mr. EDMUNDS. I should like to hear the bill explained.

Mr. DAWES. There is a town called Pendleton, a very flourishing town, built just upon the border of this reservation. There is a stream running by this town which has a water-power upon it. Certain individuals, of whom the men named in this bill are the assignees who hold under the original persons, obtained a verbal license from the Interior Department to construct a ditch from the falls in that river across a portion of the Indian reservation to this town of Pendleton, where they erected a flouring mill. There was a law passed at the last Congress appointing three commissioners to treat with these Indians, and



get their title to a portion of this land adjoining Pendleton in order to enlarge the area of that town. In that bill was a provision substantially like this bill when this proviso is added.

These men lose all the privileges which they obtained by the verbal license in the absence of legislation. They have invested quite a large capital in this flouring mill, all dependent upon the right to take the water in this ditch, which they constructed under a verbal license. That law, by the way, has failed in its operation because the Indians would not give their consent to the negotiations entered into on the part of the Government by the commissioners, so that that law as yet has not prevailed, and these persons obtained no portion of the land. Now this bill is introduced to grant to these persons the land along this ditch, to appraise its value, and to give a patent for it to these parties, and the appraised value of it goes into the Treasury for the use of the Indians.

If it were granted without any condition it would be in the power of these men to appropriate the entire stream, and it is understood by the committee that the town of Pendleton is dependent upon this stream for all its water as well as these people are for their power, and the Committee on Indian Affairs were of opinion that possibly for irrigating purposes, agricultural purposes, the right to take water out of this stream would be impaired if this grant were made without condition. Hence, while they thought it was reasonable and fair that these persons who had constructed their ditch across the corner of the reservation under a verbal license from the Interior Department should have a permanent right to do it in order that the capital they had invested upon the strength of this license might not be useless to them, yet that it was highly important that the grant should go no further than the present use, and that there should be excepted out of it all other uses to which the water might be put, so that the town of Pendleton might not be taxed by these individuals. They might take all this water and the town of Pendleton might be obliged to buy it of them, or agriculturists might desire this water for agricultural purposes and be cut off. It was thought that these men would have all that they were justly and fairly entitled to if the grant extended to their present use of the water.

Mr. EDMUNDS. I notice that this amendment of the committee, a very proper one providing for reserving existing rights to a reasonable use of the water for agricultural purposes as a limitation of the confirmation, says from that use "to which it has been heretofore appropriated." I think the word "lawfully" ought to be inserted before "appropriated," and I make that motion to amend the amendment of the committee by inserting the word "lawfully," so that they shall not get anything more than they are now lawfully entitled to.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Vermont to the amendment of the Committee on Indian Affairs.

Mr. DAWES. That would raise the question whether this verbal license to use it to its present extent would be a lawful use.

Mr. EDMUNDS. Yes, it would. If the verbal license given by the Secretary of the Interior was a piracy upon the rights of these Indians and therefore affected the value of this land that we are going to take from them and give to these mill-owners, and it was an illegal and void license, then they ought not to get anything from the advantage of the license in respect to this water which the town wants and which the Indians want, and therefore to affirm any unlawful use that they are making of the water—I am not on the subject of the land—would be a little further than I wish to go.

Mr. DAWES. These men would find that they had taken nothing but a paper if this amendment were adopted. I may be mistaken about it. I shall leave it to the Senator from Oregon.

Mr. DOLPH. I shall oppose this amendment, and desire to present the facts in this case; but I see it is 2 o'clock now, and I suppose the bill will go over in its present shape until to-morrow.

Mr. EDMUNDS. There are two other amendments which I have written in pencil in the body of the bill that I wish to call the attention of the Senate to when the matter comes up again.

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived, the unfinished business will be taken up.

#### HOUSE BILLS REFERRED.

The bill (H. R. 2889) to annex a portion of the Territory of Idaho to Washington Territory was read twice by its title, and referred to the Committee on Territories; and

The bill (H. R. 4833) relating to the taxation of fractional parts of a gallon of distilled spirits was read twice by its title, and referred to the Committee on Finance.

#### AID TO COMMON SCHOOLS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 194) to aid in the establishment and temporary support of common schools.

Mr. GEORGE. Mr. President—

Mr. HALE. Will the Senator give way to me for a moment only to give notice to the Senator from New Hampshire that at the close of the remarks of the Senator from Mississippi I may feel constrained to move that the Senate go into executive session to attend to some important business before the Senate in that way. I wish to give the notice to

the Senator from New Hampshire now who is in charge of this bill. The business I have in mind will probably take most of the day.

The PRESIDENT *pro tempore*. The Senator from Mississippi is entitled to the floor.

Mr. GEORGE. Mr. President, the people of Mississippi, all classes, have so much interest in this subject that I shall feel constrained to trespass further upon the attention of the Senate in presenting some further views in advocacy of the bill.

Yesterday I called the attention of the Senate to the precedents in the legislation of the country which I thought justified the constitutionality of this measure. One of the precedents to which I alluded was a resolution offered by the Senator from Alabama and passed, I think, by the Senate some years ago donating to the employes of this body a month's extra pay. I did not mention that for the purpose of complaining of the action of the Senate, but of calling attention to the fact that money was being continually appropriated by Congress for purposes outside of the specially enumerated powers in the Constitution. I said then and I say now that there was no justification in the Constitution for an appropriation by way of gift to the employes of this body other than such as might come from the words in the Constitution which authorize Congress to levy and collect taxes, &c., to pay the debts and provide for the common defense and general welfare of the United States.

The Senator from Alabama corrected me as to the purport of the resolution to which I was referring, and said that that resolution applied only to the employes of the Senate whose pay continued merely during the session of the Senate, and he justified this extra pay upon the ground that it was necessary to enable these parties to live during the vacation of the Senate. I was under the impression then that the Senator from Alabama was wrong, but I was not sure of it. I have looked into that matter since, and I have caused a copy of that resolution offered by the Senator from Alabama to be made, which I will now read to the Senate. The resolution was offered July 17, 1882, and is found on page 6129 of the CONGRESSIONAL RECORD, first session Forty-seventh Congress. The resolution is in these words:

*Resolved*, That there shall be allowed and paid to the employes of the Senate (including the Capitol police) receiving an annual compensation, who were employed on the 4th day of March, 1881, or on the 15th day of December, 1881, a sum equal to one month's pay at the rate per annum they were receiving at the dates specified herein, and that a sum equal to one month's pay shall be allowed and paid to the session employes of the Senate who shall be so employed at the adjournment of the present session.

Mr. MORGAN. What became of that resolution?

Mr. GEORGE. I do not remember.

Mr. MORGAN. We very often out of kindness to our friends around the Capitol introduce resolutions in order to have them referred to the proper committee. I do not suppose the Senator thinks I am committed to every constitutional absurdity that ever was enacted in the world, as he seems to think he is obliged to be, because at the request of some friend I offered a resolution in the Senate.

Mr. GEORGE. That is the first time I ever heard it announced that a Senator had a right to make a proposition to violate the Constitution of the United States out of courtesy for his friends. I had supposed that the Constitution was equally binding upon us, binding upon our conscience, whether we were called upon to act under it in favor of our friends or in favor of the people at large. And that remark of the Senator reminds me of what I had heard before, that in his opposition to the general-welfare clause of the Constitution allowing appropriations for the general welfare he was more inclined to seek methods of getting money out of the Treasury when it was simply for the private welfare of some particular individuals.

Mr. MORGAN. That remark is unjust to me. I do not wish to follow the Senator in his detailed effort to lay before the world what little of my record he thinks is worthy of examination; doubtless he can find a great many things in it to object to; but in paying the employes of the Senate we have an unquestioned right, if we employ a man at \$50 a month and it is not enough, to pay him \$100 a month, without violating the Constitution or any precedent. And so we have certainly the right when employes have been brought here, and especially when the Senate has changed its politics by the coming in of new members, to say to these men who have come here, "You have lost your business at home; you have been put to unnecessary and unexpected expense; and we think it but just and equitable that we should reward you or compensate you." That is the first Senator who ever had the capacity of ascertaining that there was the slightest hint of unconstitutionality in a proceeding of that kind. I never heard one before on this floor, as long as I have been here, intimate that there was any restraint upon the power of the Senate to apply such moneys as the two Houses would vote, out of its contingent fund or out of any fund under its control, for the purpose of giving to its own officers just and reasonable compensation. The Senator is welcome to make all he can out of such trash as that which he may be able to find in my record.

Mr. GEORGE. I am very much obliged to the honorable Senator for the complimentary manner in which he has alluded to my remarks. It so happens that when a Senator undertakes to follow the course of the Senator from Alabama he is compelled by the necessity of the case to deal with trash, for there is little else in the record of the Senator except what can be denominated by the word "trash."

The Senator says it is the first time he ever heard it intimated on this floor that it was a violation of the Constitution to pay the employés of the Senate an extra compensation—the first time he ever heard it intimated that such an appropriation was in violation of the Constitution. He has not heard that to-day. I made no such intimation. I only said that on the absurd and ridiculous construction of the Constitution which the Senator from Alabama insists upon, tested by that rule, the appropriation was unconstitutional.

Mr. President, my attention has been called by the Senator from Louisiana [Mr. EUSTIS] to several other precedents, coming down to the very present time, which justify the legislation now proposed by this bill. In looking at one of last year's appropriation bills, framed by a committee upon which the Senator from Kentucky [Mr. BECK] is a member, I find provisions which can not be justified except upon the construction of the Constitution insisted upon by the advocates of this bill. I find:

For the introduction by the United States Fish Commission into and the increase in the waters of the United States of food-fishes and other useful products of the waters, including lobsters, oysters, and other shell-fish, and for continuing the inquiry into the fisheries of the United States and their subjects, and for such general and miscellaneous expenditures as the Commissioner of Fish and Fisheries may find necessary to the prosecution of his work, including salaries or compensation of all necessary employés, \$130,000.

I find also an appropriation—

For the preparation and maintenance of fish-ponds in Washington and elsewhere, &c.

I find appropriations also for "Fish Commission buildings, Wood's Holl, Mass.," and for sailing vessels to propagate food-fishes.

I find also an appropriation of \$300,000 to aid the State and local boards of health in the arrest of epidemic diseases. I find a million dollars appropriated to take care of the weather—for the Signal Service—to make reports for the benefit of agriculture and commerce. I should like to know under what clause of the Constitution these appropriations were made, unless under the clause on which we rely who advocate this bill.

But passing now from the precedents and looking somewhat at the arguments which have been urged for and against the construction of the Constitution upon which we rely, let me state now that construction, so that there can be no mistake as to our view with relation to that matter.

No Senator on this side of the Chamber who advocates this bill insists, so far as I know, that under that clause of the Constitution which authorizes Congress to levy taxes to pay the debts, to provide for the common defense and general welfare of the United States—no Senator contends that that confers upon Congress a substantive and independent power outside of the powers enumerated in subsequent clauses of the Constitution. Our position is that this clause gives Congress power to make the appropriation—nothing more. That was the distinction taken by Mr. Monroe; that was the distinction taken by Mr. Calhoun; and that is the distinction which has been taken by all the statesmen who concur in our view of the Constitution. It is unjust to say that when we make an appropriation, or ask for an appropriation under that clause of the Constitution, we insist or acknowledge that Congress can do more than that, and I here distinctly disavow upon my part and upon the part of the friends of this measure on this side of the Chamber that we hold that Congress can do anything more in relation to education than make an appropriation in aid of the States. And, sir, that is the plain meaning of this bill itself. It contained a disclaimer, as it was introduced by the Committee on Education and Labor, of any assertion of any power on the part of Congress to do anything more than that. That disclaimer is contained in these words:

SEC. 7. That the design of this act not being to establish an independent system of schools, but rather to aid for the time being in the development and maintenance of the school system established by local government and which must eventually be wholly maintained by the States and Territories wherein they exist, it is hereby provided.

Mr. BUTLER. That was struck out.

Mr. GEORGE. I was just coming to that. It was struck out on the motion of the Senator who has just interrupted me, and his motion, I believe, was sustained by every single Senator on this side of the Chamber who opposes the bill.

When we who advocate this bill, when Senators on the other side who advocate this bill, are willing to put in it a positive disclaimer of the powers which the Senators on this side who oppose it assert that the bill implies, we find those very same Senators fearing, as they say they fear, that the bill will be quoted as a precedent for the power of Congress to take charge of education in the States, one of them making a motion and the others voting to sustain that motion to strike that disclaimer from the bill. Now, sir, I am not to inquire into the motives of Senators who cast that vote. They had a right to do it if they saw proper. They had a right to strike out the clause if they had power enough to do it. But I say that when this disclaimer was reported in the bill, a disclaimer of power, the Senators who opposed the bill because, as they assert, it contained by implication the power thus expressly repudiated, when they vote to strike that disclaimer from the bill are estopped from saying that it implies the power thus disclaimed

and repudiated. We who support the bill, in order to close out forever any inference that it meant to assert the power on the part of Congress to interfere with the school system of the States, put that disclaimer in the bill, and the Senators who oppose the bill on the ground that such power must be necessarily implied come in and vote to strike out the disclaimer.

Mr. MORGAN. I hope the Senator from Mississippi will not consider it an intrusion for me to make a suggestion.

Mr. GEORGE. Certainly not.

Mr. MORGAN. I voted for that amendment because I wanted to strip the bill of all unnecessary disguises. The bill without that clause did exactly what the bill did with it. So says the Senator. If you strike it out, what else does it do? The bill with that stricken out means that the States are not to receive a subvention under this bill which they can themselves control, but that the power of Congress attends the appropriation within the State and controls its exercise there.

Mr. GEORGE. Mr. President, the answer to that is a very plain one. There was controversy as to what this bill meant. The Senator from Alabama and those who agree with him on this side of the Chamber said it meant that the power was asserted by Congress to control and manage education in the schools of the States. The Senators on this side of the Chamber who supported the bill denied that such implication was proper, and we put in the bill a disclaimer of the power which the Senator says existed or is asserted by the bill.

Mr. BUTLER. Would it interrupt my friend for me to ask him a question?

Mr. GEORGE. Not at all.

Mr. BUTLER. I should like to call his attention to the provision of the bill which prescribes what shall be taught in the common schools of the respective States and ask him if in his judgment that does not assume jurisdiction of the common schools? I also made a motion to strike that out, but it was voted down.

Mr. GEORGE. I intended to notice that further on, but I will do it now. Every bill for the grant to the States of land for schools of the sixteenth sections has been a grant for the purpose of establishing and maintaining common schools. What is taught in common schools? Reading, writing, arithmetic, geography, and speaking the English language. That is exactly what a common school is. That is what everybody understands when a common school is established will be taught in it; and yet this bill merely specifies in plain language the subjects which are always taught in common schools. Does it make any difference whether we say that this fund shall go for the purpose of aiding in the establishment of common schools and in the teaching of such studies as are usually taught in them, or whether we specify reading, writing, arithmetic, geography, and speaking the English language? What else could be taught in a common school, or rather how could a common school be established without teaching these things?

Mr. BUTLER. Then I ask what necessity for specifying them?

Mr. GEORGE. That is a mere matter of taste, not a matter of constitutional law. It is a matter of taste whether it be specified or whether it be left to inference. We are talking now about the Constitution.

Mr. BUTLER. The Senator asserts the constitutional right of Congress to take charge of common schools.

Mr. GEORGE. No more than if it had said you shall teach in these schools the studies which are usually taught in common schools.

Mr. BUTLER. Why not say that?

Mr. GEORGE. Can you have a common school without any studies in it at all? How will you establish a common school, I ask the Senator from South Carolina, without teaching reading, without teaching writing, without teaching arithmetic? That would be a very uncommon school, as suggested by the Senator from Indiana [Mr. VOORHEES]. The object of this appropriation is to educate the illiterate. The object of the common school is to educate the illiterate. Would the Senator commence at the other end of the line? Would he introduce into the common school the study of transcendental metaphysics?

Mr. BUTLER. No, Mr. President, I will tell you where I would begin. I would begin and end just exactly where the States of this Union leave the question. That is where I would begin and end.

Mr. GEORGE. Well, Mr. President, the framers of this measure and the framers of other measures making donations to the States for the purpose of education have done it. Here is the agricultural land grant made in 1862 for agricultural colleges. Nobody ever denied but that was a constitutional law, and yet that contained an enumeration of the studies, and among others military tactics. There is nothing in that idea.

But, Mr. President, I am not going over the argument which I went over two years ago in favor of the construction of the Constitution that Congress has the right to make an appropriation, outside of the enumerated clauses in the Constitution, under the general-welfare clause of the taxing part of the Constitution. That argument has been made and repeated by the greatest men who have lived in this country. It is unnecessary for me to repeat it now, but I will answer some objections which have been urged to it. On a former day during this discussion I asserted that this bill contained a mere gift to the States in aid of ed-



ucation, interrupting the Senator from Alabama [Mr. MORGAN]. He replied in this way:

And that being true—

That is, the consent of the donee being required to make a particular gift—

there is no power in the Constitution of the United States for the United States Government to send a gift to a State, for there is no power in the Constitution which hints at the idea that Congress may do something with the consent of the State which it can not do without it.

I replied:

Can we make a gift to a foreign state?

Mr. MORGAN. I am speaking about the relations between our States and our Government.

The debate proceeded:

Mr. GEORGE. I want to know if Congress can make a gift to a foreign state, as was done during the administration of General Washington?

Mr. MORGAN. With due respect to the honorable Senator, that is a begging of the question and a refuge besides.

Mr. GEORGE. If you can make a gift to a foreign state, can you not to your own?

Mr. MORGAN. No, sir. If the Senator has not learned enough of horn-book constitutional law to understand the difference between the relations of the Federal Government to a foreign state and of the Federal Government to the States of the Federal Union, I shall have to take back what I said a while ago about his being a profound constitutional lawyer. [Laughter.] No, sir; the Senator saw that he was in a hole, and he could not get out of it without taking refuge in a foreign state.

I repeat the proposition, it does require a donor and a consenting donee to perfect a gift; and inasmuch as there is no hint of power in the Constitution by which an act of Congress is to become complete by the consent of a State, your case is gone.

Mr. GEORGE. Is there any hint in the Constitution that any act of Congress shall become complete with the consent of a foreign state or a private individual?

Mr. MORGAN. I have too much respect for the gentleman who taught me the elementary principles of law to answer that question. I really have.

Further on he said:

The Senator from New Hampshire thinks he can give the money to the children. Probably he can. He can not give it to the State, because the State can not consent to accept it, so as to confer on Congress a power it does not possess to make the gift.

Now I propose to make some remarks upon that proposition in issue between the Senator from Alabama and myself. He says that Congress can not make a gift to a State. If so, why not? Congress makes gifts to everybody else. Congress makes gifts, as the Senator admitted, to foreign states, makes gifts to individuals, makes gifts to classes, makes gifts to corporations. Why can not the Congress of the United States make a gift to a State? Is it because the State is incapable of being a donee? Is it a fact, does the Senator from Alabama assert it as a fact, that a State can not be made a donee, can not accept a gift from any one? If so, he is in contravention to the legal and constitutional history of this country.

Then if Congress is competent to make a gift and if the State is competent to accept a gift, what prevents a gift from going from Congress to the State? Here is a donor with power to give, here is a donee with power to accept. By what process of reasoning can you prevent a gift from going from this donor to this donee?

But the Senator from Alabama did not believe in his own theory on that subject. I find on page 12 of the twenty-third volume of the Statutes at Large an act of Congress, introduced by the Senator from Alabama, advocated by him, and through his agency passing the Congress of the United States. That act says:

That 46,080 acres of the public lands in Alabama are hereby granted to the State of Alabama in addition to the lands reserved to said State, &c.

Here are lands granted without consideration.

Mr. BUTLER. For what purpose?

Mr. GEORGE. For the use of the University of Alabama. I am only quoting it now to show that Congress can make a gift, that a State can accept a gift, and that Congress can make a gift directly to a State. There is the answer to the proposition of the Senator from Alabama denying the power to make such a gift. Here is an act of Congress, introduced by the Senator from Alabama himself, which makes a gift by Congress to a State. Will the Senator say we can give land and can not give money?

I propose to read from the CONGRESSIONAL RECORD a proposition made by the Senator from Alabama upon this same subject. His proposition was this:

I think that a bill framed upon an idea like this in the first section would be a bill that would meet with general acceptance on the part of Congress and be exactly in harmony with the whole course of our legislation since 1799:

"That the sum of \$650,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended as hereinafter provided, to aid in the execution of such quarantine and health laws of any State respecting any vessel arriving in, or bound to, any port or district thereof, or respecting any person or thing bound to, or arriving in, any place in the United States from any foreign state or country."

Mr. HAWLEY. May I ask the Senator a question?

Mr. GEORGE. Certainly.

Mr. HAWLEY. I ask him if this whole matter of jurisdiction over commerce at large is not a matter of co-operation with the authorities of the States?

Mr. GEORGE. That may be to some extent true, but I am quoting from a Senator who in the very speech from which I read this proposition denied that concurrent jurisdiction. He said that this whole mat-

ter was within the jurisdiction of the States and opposed the measure as it then stood upon that ground, and offered only to support it upon the terms which I have just read.

I have no doubt at all—

Said he—

that whenever a great calamity like this visits any part of the United States, whether it visits its people, or whether it visits its property, or animals useful for human food or human service, it is entirely within the purview of Congress to render assistance to the local laws and the local agencies for the purpose of resisting such a calamity.

Here, then, the Senator from Alabama has introduced and secured the passage of a bill giving land to a State; here is his proposition to give \$650,000 to the States, denying all the time, as we deny, that this gift, this grant conferred any jurisdiction or power on the agencies of the Federal Government to interfere with the local concerns of the States, but simply to act in aid of the States. So, Mr. President, we have one of the distinguished Senators who oppose this bill on record here in favor of gifts to the States by Congress to aid the States in the discharge of their proper constitutional functions.

I pass now to another very important precedent on this subject, in which nearly all the Senators on this side of the Chamber who oppose this bill figured to some extent. There was introduced in March, 1879, by Mr. Burnside, a bill sometimes called the Burnside bill and sometimes the Morrill bill. I propose to bring the contents of that bill before the Senate as a precedent for this bill. I propose to show its history, what was said and done, how it was explained, how it was amended, what powers were proposed to be exercised by Congress in passing it, and what influence those powers were supposed to have upon the States. The bill, as I said, was introduced by Mr. Burnside. It was referred to the Committee on Education and Labor, of which committee my friend from Texas [Mr. MAXEY] was at that time, I believe, a member. They concurred in reporting the bill back with some amendments. Let us see what that bill proposed to do and how that affects the question now before the Senate.

In the first place, that bill is supposed at times to give the proceeds of the sale of public lands to education, and yet that is not true. The bill as introduced probably was different, but as it was amended and passed it made no such provision. As the bill was introduced it read in this way:

That the net proceeds of said sales and receipts for patents shall be set apart as an educational fund, and shall be invested in the bonds of the United States, bearing a rate of interest not less than 4 per cent. per annum, both principal and interest payable in coin.

When it came before this body the above provision was amended so as to read—

Provided, That the net proceeds of said sales and receipts for patents shall be set apart as an educational fund, and shall be entered on the books of the Treasury to the credit of the fund, and bearing a rate of interest not less than 4 per cent. per annum.

There was no appropriation of this fund; not one dollar of it ever went out of the Treasury or was intended to go out of the Treasury by the bill. What is meant by setting apart is in fact nothing. There was no direction that the sum, say of \$5,000,000, accruing in any one year from the sales of the public lands and from fees on patents should be taken bodily by the Treasurer and put in a particular vault, laid away securely for the purpose of being used in supporting or aiding in supporting common schools in the State. The setting apart was simply this, and nothing more: The dollars, so far as they were affected by this bill, remained in the Treasury as they came there; they were like dollars coming from customs, coming from internal-revenue taxes, coming from any other source by which dollars can get into the Treasury and wholly mixed with and unseparated and undistinguished from them. They were physically and corporeally not set apart; they were mingled as a part of the common treasure and common fund in the Treasury of the United States. All that was done (and I desire to call the attention of the Senate to that) was that the simple arithmetical figures corresponding to the amount of these dollars was directed to be entered on a book in the Treasury Department, and that on the figures thus entered the United States were required to pay 4 per cent. interest to the States.

Mr. MAXEY. Will the Senator allow me to say that I was a member of the Committee on Education and Labor at the time that bill was reported, and if I now remember correctly the Senator from Vermont [Mr. MORRILL] and Mr. Burnside and myself were a subcommittee. The receipts of the Patent Office were included in that bill, not one dollar of which was ever raised from the people of the United States under the clause of the Constitution "to lay and collect taxes, duties, imposts, and excises." It is simply the receipt of a certain fee for the issue of patents over and above the expenses necessary for that issue. There is to the credit of that fund about \$300,000, I think. That was provided for in that bill because after discharging the duty for which the money was paid this much was left over and was deposited with the United States like any other deposit. It is not money raised by taxation.

Mr. GEORGE. I am not making any point now on the fact that the proceeds of the Patent Office were set apart, but I am making the point that there was actually no appropriation or transfer at all of either the

patent fees or the land receipts. The whole thing was only a change in the system of book-keeping. But to make this thing perfectly understood, here are, say, \$5,000,000 coming into the Treasury from the proceeds of public lands. That money was not given to the States; it was not locked up in any particular box or vault for the use of the States; it was to go, after the passage of the bill, just as it went before, into the general fund, and was to be paid out of the general fund to general purposes in the ordinary way and in the discharge of the ordinary expenses of the Government. The money coming from these funds was not in any way disturbed in the Treasury; it was neither enlarged nor diminished, nor was its use in the slightest degree changed. All remained exactly as before, except an entry on the books of the Treasury. There was nothing done or authorized to be done by this bill except to enter upon the books of the Treasury Department the number in figures of the dollars thus received as a basis upon which a donation was to be made out of the general Treasury to the States. If \$5,000,000 come in during the year from this source the dollars are not separated from the other money or in anywise distinguished from them. The Treasurer enters according to the bill on the books of the Treasury Department \$5,000,000 creditor to the educational fund, and upon that 4 per cent. is calculated and paid to the States under the bill, amounting to \$200,000, and that sum is not paid out of that fund but paid out of the general fund of the Treasury. In other words, if it be constitutional to pay out the proceeds of the public lands and the patent fees to the States in aid of education and unconstitutional to pay out any other money, then you have accomplished nothing by this Burnside bill in the way of making it constitutional. The money paid out under that bill came from all the funds in the Treasury from whatever source derived. It in fact made an appropriation for education out of these general funds. If that bill was constitutional and this unconstitutional, this results not from any difference in the substance of the two either as to the funds to be paid out or the object of the appropriation, but comes only from the fact that a certain entry was directed by the Burnside bill to be made on the books of the Treasury. If the Constitution was saved in the Burnside bill and destroyed by this, this salvation and destruction came only by a difference in the mode of book-keeping in the Treasury.

So, Mr. President, if you construe the bill as it really meant, it was a donation out of the general fund of the Treasury in aid of common schools.

Mr. MAXEY. I should like to say to the Senator from Mississippi in regard to that bill that he has stated more than is justified by the facts. We had the entire right to devote the fund there mentioned to the purpose there provided.

Mr. GEORGE. I was just going to read something from the Senator from Texas which I think controverts the idea he now states. During the progress of that bill, which proposed out of the general funds of the United States to pay 4 per cent. to the States, the Senator from Connecticut, Mr. Eaton, said that the United States could borrow money at 3 per cent., and that it was wrong that the United States should pay to the States a larger per cent. for money than they could get it in market. Mr. Hill, of Georgia, then on this floor, objected to the reduction of the interest, admitting, as everybody then did admit, that the United States could borrow money at 3 per cent. He objected to it upon the ground that, it being for educational purposes, it was right that 4 per cent. should be paid, and the Senator from Texas (Mr. MAXEY), in debating that point, made use of this language:

I am willing to have this rate of interest 4 per cent., and I would say even more than that, if need be, because—

What? Because the United States ought to pay more interest for money than it could borrow at; that the 4 per cent. was justly due; that the rate fixed was too small as compared with the market? No, but—

because it is money wisely and well distributed, for the grandest of all purposes, the education of the people.

Now, I submit it to the honorable Senator from Texas if money could be borrowed at 3 per cent. readily in the market, if that was all anybody asked, and if Congress gave 1 per cent. more out of the general tax funds of the country, if it was not making that 1 per cent. a donation to educational purposes out of the general funds of the United States raised by taxation? This was December 16, 1880.

Mr. MAXEY. I ask the Senator if the United States had ever borrowed money at 3 per cent. at that time? If so, I do not remember it.

Mr. GEORGE. The reason the Senator gave for not reducing the interest was not that we could not borrow at that rate. It was even said by some that it could be borrowed at less. Mr. Hill, of Georgia, conceded, if I remember right, that it could be borrowed at less, but said we ought to pay more; and when the Senator from Texas came to advocate the 4 per cent. instead of 3, he did not say then, "We can not get money for less than 4 per cent.," but he said "no." I will read his very words:

I am willing to have this rate of interest 4 per cent., and I would say even more than that—

Five per cent. or 6 per cent.

Mr. MAXEY. We were paying 4 and 5 per cent. for money then.

Mr. GEORGE. But the Senator did not give that reason for it.

The Senator gave as a reason for wishing to raise the rate that it was a donation for the grandest of all causes, the education of the people. And now I ask the Senator from Texas or any other strict constructionist in the Senate, if you can pay on a fund which belongs to the United States (because nobody denied that the money belonged to the United States) an interest greater than the United States can borrow money for in the markets, for the reason not that you can not get the money for less, but that the paying of the excessive rate is for the grandest of all purposes, the education of the people—I would ask if that is not a clear donation to the extent of this excess out of the Treasury of money raised by taxation for the purposes of education? There can be no negative answer to this.

But, Mr. President, the Senator did not allow his opinion on that subject to rest upon that short quotation from his speech which I have read. He treated, as I do, the fund arising from the proceeds of the public lands and from patent fees as actually a part of the common treasure of the country, and as much subject to and no more subject to the appropriation of Congress than money raised in any other way. Let us see what the Senator said upon that point:

Mr. President, as a member of the Committee on Education and Labor I concurred with that committee in reporting this bill, and I will say that if I had believed that there was one word in the bill which would interfere with the reserved rights of the States, I should never have agreed to its report. I do not believe that; but I do believe that where the United States of its own volition grants to the States a certain portion of—

What? Proceeds of the sales of the public lands? Proceeds of any money in the Treasury arising otherwise than by taxation? No.

Grants to the States a certain portion of the public treasure, in trust for the use of common schools, &c.

He speaks here of this fund in the Treasury as we who support this bill do as a part of the common public treasure of the country.

Now let us see what the Senator from Alabama [Mr. MORGAN] said on this subject. During the progress of the bill the Senator from Alabama, in carrying out the straight, strict-construction, State-rights theory of the Government in preserving the rights of the States with that sleepless vigilance which he has stated in a speech he made here a few days ago he always guards the interests of the people, saw proper, in order to carry out that theory of the Government, to introduce the following amendment to the Burnside or Morrill bill:

And said last-mentioned act of Congress—

Which was the act making grants of land to the States for agricultural colleges, passed in 1862—

And the said last-mentioned act of Congress—

Mr. MORGAN. That is not the same act the Senator has been reading from.

Mr. GEORGE. No, the agricultural college act was passed in 1862. But you were amending this act; you introduced the amendment to the bill reported by the Committee on Education and Labor and on which I have been commenting, and that amendment amends the agricultural college act. I hope you understand it now. This was the amendment:

And said last-mentioned act of Congress is hereby amended so as to—

What? Authorize? Legalize? No.

So as to require each State and Territory to establish in said colleges schools for the instruction of females in such branches of technical education as are suitable to their sex.

The Senator from Alabama and all the other Senators on this side of the Chamber who oppose this bill object because it is made a condition of this grant that the ordinary branches always and everywhere taught in common schools shall be taught, though leaving it at the option of the State to accept or reject, yet here the Senator upon a grant already perfected and vested in the State years and years ago introduces an amendment requiring the States to teach certain things in their colleges.

Mr. MORGAN. Will the Senator permit me?

Mr. GEORGE. Yes, sir.

Mr. MORGAN. We have been discussing this question about the difference between the power to appropriate money raised by taxation for public education in the States and the power to apply a trust-fund realized by the Congress of the United States by the sale of lands granted to it by the States in a way that, I suppose, lawyers who discuss a question of constitutional law or of trust would understand. Now I admonish the Senator from Mississippi that he stands before the legal profession of the United States as one of the ex-judges of the supreme court of the State of Mississippi.

Mr. GEORGE. I beg the Senator's pardon; my attention was diverted.

Mr. MORGAN. I was admonishing the Senator from Mississippi that he stands before the legal profession of the United States as one of the ex-judges of the Supreme Court of that great State. The Senator, however, for purposes of his own, undertakes to avoid a judgment that the bar of the United States is obliged to pronounce against him of insincerity in the methods of his argument in order to try to hoodwink the people. The Senator knows as well as I do that the bill establishing the agricultural colleges was founded entirely upon the execution of a trust by the Congress of the United States, which the States themselves by their various acts of legislation had imposed as a duty upon Congress in the grant of the land. My opposition to this bill is that it does not



resort to a fund of that kind derived from the States, but it resorts only to the power of taxing the people of the United States in the future to gain money for the purpose of educating the children of the people in the different States. I do not know that I can make that distinction palpable and clear to the people at all; I think I can to millions and millions of them; but the bar of the United States will never for a moment be deceived in respect of the fact that the Senator from Mississippi is arguing upon a proposition which I was debating at the time which had sole reference to the execution of a trust by Congress in the administration of a trust estate conferred upon it by concessions from the States themselves, and that I had no reference in the world to the taxing power of Congress either to promote the general welfare or anything else. With that explanation the Senator can go on; I dismiss the subject from my attention.

Mr. GEORGE. A man who talks as much as the Senator from Alabama talks ought to have a very good memory. It just so happens that in the speech he made on that bill and on the amendment he utterly ignored the distinction which he now makes. If I understood his explanation just now he advocated the bill entertaining the opinion that Congress in the execution of a trust could give the proceeds of the public lands to the States for schools. I will show before I get through in the same speech that the Senator made upon the amendment which he offered, and which I have read to the Senate, and which was objected to by the Senator from Massachusetts [Mr. HOAR] because it was unconstitutional, that the Senator took no distinction between the power of Congress to appropriate the proceeds of the public lands and the other treasure of the United States.

But before I get to that I wanted to say something about the objections raised against this bill by the Senator from Alabama in the speech which he made.

Mr. MAXEY. As the Senator from Mississippi has referred to what I said about public treasure, I desire him to state that in the same speech I distinctly said that the public treasure referred to was the proceeds of the public domain. It was in the same speech and applied to that. That is what I meant by the expression "public treasure."

Mr. GEORGE. It only shows that at that time these gentlemen were not making the distinction between the proceeds of public lands and other moneys in the Treasury.

Mr. MORGAN. For the reason, if the Senator will allow me, that the question was not up.

Mr. GEORGE. If I may be allowed to proceed a little while I will get out of this diversion occasioned by the Senator from Texas, and show that in the same speech the Senator from Alabama made use of similar language in support of his amendment. It was objected to that amendment that there was not money enough to carry it out as well as that it was unconstitutional; and the Senator from Alabama said:

It is very true that under ordinary circumstances the establishment and endowment of schools of technology requires a good deal of money, requires quite a variety of professors and instructors and tutors in various branches of industry which our people are following in the land, and it is equally true that the amount of money which is to be raised under this bill is comparatively a small one.

That objection was made that there was not money enough. Now how does the Senator answer that?

Some Senators have expressed the hope and the confidence that this fund will hereafter be added to. I join very heartily in that hope and in that confidence, and that not only this fund will be increased by private contributions, but that hereafter we shall find other means arising from the general Treasury of the United States for the purpose of aiding in this very important movement, I think one of the most important movements which have ever addressed themselves to the civilization of the people of the United States.

Mr. MORGAN. If the Senator will allow me, I ask him in all candor to state whether in that remark I committed myself to the proposition that taxation was to be resorted to for that purpose? Other means from the general Treasury of the United States might result from confiscations, from forfeitures and fines; there are a thousand sources of revenue—we have the Alaska seal and fur fisheries, the amount of money that is raised by seigniorage upon the coinage of silver dollars—which are not taxed out of the people at all, which do not resort to the taxing power, which become property in the Treasury of the United States, and which the Congress of the United States has a right to dispose of as it sees proper. My distinction has been all the time between the exercise of the taxing power and the right of Congress to appropriate public property for purposes of this kind.

Mr. GEORGE. The Senator has a right to make his own explanation.

Mr. MORGAN. I have done so. That is the truth about it.

Mr. GEORGE. I have no doubt of that.

The Senator from Alabama said:

I join very heartily in that hope and in that confidence, and that not only this fund will be increased by private contributions, but that hereafter we shall find other means arising from the general Treasury of the United States for the purpose of aiding in this very important movement.

If the Senator had reference to the Alaska seal fisheries, to the seigniorage on the coinage of silver dollars, and the various other subjects to which he has alluded, it was due I think to the intelligence of the country for the Senator to have so stated it. I stand upon his language

as it is in the RECORD—"the general Treasury of the United States." If that does not include all the funds in the Treasury of the United States I am unable to understand the English language.

But, Mr. President, the Senator by his interruption diverted me from the point I was on when I read his amendment. It has been objected, it was objected this morning by the Senator from South Carolina [Mr. BUTLER], it has been objected in debate all the way through, that this is compulsory upon the States. It was objected by the Senator from Alabama, and all the others, as I understood their remarks; it was objected by the Senator from Maryland [Mr. WILSON] and the Senator from Delaware [Mr. GRAY], all concurring in the general statement that if we gave upon condition it was in effect an invasion of the authority of the State and in effect compulsory. That is the objection they make to this bill, that it is an invasion of the authority of the States.

I read from the Senator from Alabama upon that subject, and I want to read a little further upon it. I have read his amendment. It was objected to by the Senator from Massachusetts that it was unconstitutional; that you could not require a State which had already accepted a grant made by the Government to do with it otherwise than was expressed in the grant. We will see what the Senator said upon that subject. After making an elaborate argument for the purpose of showing the necessity of this kind of education and presenting some very valuable statistics, the Senator concludes:

The facts stated in the concluding paragraphs of the paper I have presented, that the number of persons who attended upon these lectures and these instructions increased from two hundred so that within the period of less than three months they had gone up to six thousand five hundred and sixty, it seems to me do not furnish us any reason for despairing of our success if we shall make it compulsory on the States to adopt a system of this kind.

So there is the amendment of the Senator, and there is his construction upon it; and yet when in this bill grants of money are simply made upon a condition that the State must comply with in order to get it, but is left full liberty to reject, we are charged, and especially by the Senator from Alabama, with invading the reserved rights of the States.

It seems to me that if compulsion on the States was an objection to a measure of this sort, it was equally an objection in 1880. Certainly it is no more unconstitutional now to make an offer to aid the States and make it compulsory upon them (though that is not the effect of this bill) than it was in 1880, and yet we find ourselves upon this side of the Chamber who are advocating this measure charged with violating the reserved rights of the States because we propose to accept a gift upon condition without any compulsion at all.

I desire now to read what the Senator from Texas [Mr. MAXEY] said on that subject. Here in this bill is a gift. Congress offers it to us on the conditions named in it. There were conditions in the Burnside bill almost as strong and as many as in the bill now under consideration by the Senate. There was the condition that reports should be made, there was the condition that the funds should be fairly and impartially divided among all the children of the States, there were all the conditions substantially that are in this measure. The Senator from Missouri [Mr. VEST] objected to the bill upon the ground that those conditions were in it. What did the Senator from Texas say on that? I will read the same extract I read before and a little further—

I do believe that where the United States of its own volition grants to the States a certain portion of the public treasure, in trust for the use of common schools, the United States have the right to know that the fund is appropriated in the mode and manner prescribed by the act of Congress; that it is a right which all trustees always have to see that a trust fund goes in the direction in which it was designed to go. So far as that is concerned I have nothing further to say.

So these Senators saw no objection to the gift being made upon a condition then.

Now, Mr. President, I desire to say something upon the alleged difference between the grants of public lands for the use of public schools and the grants for the same purpose of money raised by taxation or any other wise in the Treasury. The Senator from Texas [Mr. COKE] and myself argued and debated that question at length some two years ago. He took the position that as to public lands Congress had an autocratic and unlimited power of disposition, unrestrained by any of the limitations in the Constitution upon the power of appropriation, and he maintained the right to donate them to education upon that ground. The Senator from Alabama seems to be dissatisfied with that ground and he places it upon another. I do not propose to go over the argument I had with the Senator from Texas except to say that I insisted on that occasion, as I insist now, that Congress has no autocratic and unlimited power over anything, that all of its powers are in trust, that all of the property that the Government has is trust property, a trust under the Constitution of the United States, that instrument expressing the nature, extent, and object of the trust. But the Senator from Alabama discards that ground and insists that there is a trust by contract in relation to the public lands which enables Congress to make a disposition of them for education, and which trust not extending to money does not enable Congress to make an appropriation of money out of the Treasury for the same purpose. He read from the grant made by the State of Georgia and from several other grants, but, as it is unnecessary

to go through all of them, I will notice now the grant from the State of Georgia, which provided—

That all the lands ceded by this agreement to the United States shall, after satisfying the above-mentioned payment of \$1,250,000 to the State of Georgia and the grants recognized by the preceding conditions, be considered as a common fund for the use and benefit of the United States, Georgia included, and shall be faithfully disposed of for that purpose, and for no other use or purpose whatever.

The trust, sir, was simply this, that it should go into the common Treasury of the United States as a common fund for the benefit of the United States. If the Senator from Alabama were to undertake to define the money in the Treasury raised by taxation or in any other mode in which it can be raised for the Treasury he could not more properly describe it than in the words used in this grant: The grants shall "be considered as a common fund for the use and benefit of the United States, Georgia included." In accordance with that the proceeds of the sales of the public lands did go into the common Treasury of the United States, have been used as a public fund in paying the ordinary expenses of the Government, used in every way in which any other fund in the Treasury of the United States is used.

But the Senator says that that created a trust in favor of separate States of the Union, or, in other words, that the grant was to Congress as a trustee to hold the fund for the use and benefit of Georgia and South Carolina and of the other States then including the Union individually and separately, and not for their use and benefit as the United States. If that were true, and I deny it—

Mr. MORGAN. So do I.

Mr. GEORGE. You deny it?

Mr. MORGAN. Yes.

Mr. GEORGE. I understood that to be your argument.

Mr. MORGAN. You did not understand me then.

Mr. GEORGE. I did understand it.

Mr. MORGAN. I say you did not understand me.

Mr. GEORGE. Oh, of course the Senator from Alabama has a right to put his own construction upon his own language, but here is his language:

On the 24th of April, 1802, Georgia ceded the land included in Mississippi and Alabama, for a cash payment out of the proceeds of the sales of the lands of \$1,250,000, to the United States upon certain conditions, of which the second are as follows.

Then he quotes the conditions:

There is certainly enough in each of these cessions to show that the original States, having outlying lands, gave up a beneficial interest in them to the States that had no such lands. They declared the beneficial interest to be reserved in themselves, and they all placed the United States in the attitude of their trustee, and as trustee of the new States to be formed from the ceded territory, to hold the proceeds in trust for all the States then existing or afterward to be formed as a common fund.

And in speaking of North Carolina and South Carolina he says:

On the 9th of August, 1787, South Carolina ceded her wild lands "to the United States of America, for their benefit, South Carolina inclusive," the words "their benefit" clearly meaning the separate States. A portion of this cession stretches across North Alabama.

On the 25th of February, 1790, North Carolina, after making certain reservations, ceded her western possessions, now the State of Tennessee, and then having large white settlements, "unto the United States of America for the benefit of said States, North Carolina inclusive," "said States" meaning each and all the States. In the deed was this condition among others.

So I had good ground for supposing that he meant that it was a gift for the use of the separate States. I accept his explanation, however, as he has a right to put a construction upon his own language.

Mr. MORGAN. I will restate it if the Senator from Mississippi will allow me.

Mr. GEORGE. I understand it very well. You can restate it, however.

Mr. MORGAN. The gift was a gift of lands belonging to the States to the United States of America for the benefit of each and all of the States, and it conferred upon each State the right to receive back from the Government of the United States any donation of this property or any release of it that the Government of the United States might choose to make—a power that is not conferred upon the States by any other condition or clause of the Constitution or any other circumstances. The States reserved to themselves the right to receive back in such form as Congress might choose to bestow it a portion of the lands in kind, in place, or the proceeds of them for any State purpose whatsoever. That is my position.

Mr. GEORGE. I understand, then, the position of the Senator to be this—

Mr. MORGAN. I have stated it.

Mr. GEORGE. I understand his position to be that it was to go as a common fund in the Treasury of the United States, but with the reserved right that Congress might give it to any one of the States in such proportion as Congress might see proper, and not to go to each one equally and according to its Federal ratio or right in the Treasury.

You will find in some of these grants that it is expressly stated that the lands shall go in that way. I do not believe that I can lay my hand upon it now; but however that may be, put it upon the language used in the grant of Georgia, and they are all substantially alike—shall be "considered as a common fund for the use and benefit of the United States, Georgia included, and shall be faithfully disposed of for that purpose,

and for no other use or purpose whatever." How could that be disposed of as a common fund for the use and benefit of the United States except by appropriating it out of the Treasury for use in the ordinary operations of the Government? The United States were a corporation; they owned property; they had taxation; they had expenses; and how, I ask, could this fund be used otherwise, if it was a common fund, than for the common benefit? It is an assumption not warranted by the language of the grant or by the practice of the Government under it.

But if the Senator from Alabama is right, which I deny that he is, in reference to the grant from Georgia and the other States, what becomes of his doctrine of trust when it is applied to that immense territory which we acquired from France in Louisiana, from Spain in Florida, and from Mexico? I read from the treaty by which Louisiana was ceded to the United States:

The First Consul of the French Republic, desiring to give to the United States a strong proof of his friendship, doth hereby cede to the said United States in the name of the French Republic, forever and in full sovereignty, the said territory, with all its rights and appurtenances, as fully and in the same manner as they have been acquired by the French Republic in virtue of the above-mentioned treaty, concluded with his Catholic majesty.

There is no trust there. There is a simple grant to the United States as a Government; no trust, no nothing except a simple grant to the United States. When you go to the treaty made with Mexico there is even no grant at all; there is just a line run between the United States and Mexico up the Rio Grande, up the Rio Gila, and then to the Pacific Ocean, and it is said there that the lands on the north side or the east side of that line remain to the United States. There is no trust there. If that is a trust, it is impossible to make a grant to the United States which will not be impressed with a trust that it may divide it out among the States as it sees proper. There is very little land, there was in 1880 very little land, belonging to the Government of the United States which did not come under either the Mexican or the French treaty. From lands thus acquired from France and Mexico nine-tenths of the proceeds of public lands mentioned in the Burnside bill must necessarily come. So I take it it can not be made out that there is any trust which would authorize Congress to make any disposition of this property that it would not be authorized to make of any other property belonging to the United States.

I spoke in the beginning of my remarks yesterday of the interest which the colored people of Mississippi had in this bill. I desire now to say that the white people of Mississippi have also an interest, and a deep interest in it. I shall not urge the arguments which I think might properly be urged in their behalf in this matter, because I prefer to read to the Senate a better argument made in their behalf by the Senator from Texas [Mr. MAXEY]. The Senator from Texas, in discussing the necessity for the passage of the Burnside bill, said:

Whether we will or not, the colored people are to-day citizens. If it be true, and it is true, that the perpetuity of free government depends upon the virtue and intelligence of the people, then common sense will tell any man that the more enlightened, the more virtuous you make those who enter into the body-politic the more certain you are of the perpetuation of free institutions. These colored people have become by the Constitution and the laws of our country a part and parcel of the body-politic. They were but a few years ago slaves. They are mainly in the portion of the country where I live. It is the interest of the Southern people that this colored population should be educated. They are among us; they are entitled to vote; they are entitled to hold office; they are entitled to sit upon juries; they are entitled to be appointed executors, administrators, and guardians; they are entitled to any official political position that a white man is entitled to; and hence it is of the utmost importance to us and to the perpetuity of our institutions that these people should become educated. Coming out of the war as they did without property, what they now own they have had to acquire by their own exertions. They are necessarily poor. Their children have to be educated. In the State in which I live by the terms of the constitution—and similar provisions are in the constitutions of all the Southern States—they are entitled to the same common-school education that the white child is entitled to.

He proceeded further, after some interruption:

Mr. President, as I stated, these people came out of the war without property, their children under the constitutions of the Southern States are entitled, like the white children, to be educated. The burden of educating those children falls upon the whites. The white men of the South came out of the war deprived of their property. We were impoverished by the war, and what little of property was left there was left in the hands of the white people, and the burden of educating both white and black has devolved upon the white people in the Southern section of the country.

I read that because it expresses my view better than I can express it myself.

Mr. MAXEY. I beg to say, if the Senator will permit me, that I indorse every word of that, and did the other day.

Mr. GEORGE. I am not reading it for the purpose of making the Senator appear inconsistent, but to support the passage of the bill.

Mr. MAXEY. I said on that bill that I was in favor of appropriating the proceeds of the public domain for purposes of education, and I stated the other day that I would do the same thing. I have not changed in regard to the matter.

Mr. GEORGE. There is another sentence which I will read, because it adds force to what the Senator had said and because also it contains some expressions which were singularly inconsistent, I thought, with the conduct of the Senator from Texas a few days ago when it was charged in debate that it was dishonest for any State to receive money under this bill because of the unequal distribution of it, seeing that the distribution under the Burnside bill of the fund for ten years was exactly on the same basis.



Mr. MAXEY. Have I charged dishonesty against anybody?

Mr. GEORGE. No, sir.

Mr. MAXEY. I do not charge dishonesty against anybody about anything here.

Mr. GEORGE. The distribution under the Burnside bill for the first ten years was exactly the same as the distribution under this bill; that is, according to the illiteracy of the population of ten years of age and upward. That bill made this distribution for ten years and this bill only makes a distribution for eight years. I say when it was charged in debate that for a State to receive a distribution under the provisions of this bill was dishonest the Senator from Texas got up and to my surprise stated that Texas was not for the bill. Premising that much, I will read the last sentence of the paragraph from which I have been reading:

These people—

That is, the colored people—

were made citizens by the act of this Federal Government, and it is a matter of common justice, it is a matter of common honesty and fair dealing, in my judgment, for the Federal Government to aid in their education, to aid the States which are now educating them.

Mr. MAXEY. I said that the other day. Now read that. [Indicating.]

Mr. GEORGE. I will do so. My attention is called to another portion of the Senator's speech which I shall read with great pleasure.

Mr. MAXEY. In what the Senator has read he has not stated and left entirely unexplained that I used the phrase "common treasure." What I now ask the Senator from Mississippi to read shows precisely what I meant by "common treasure."

Mr. GEORGE. The Senator from Texas says in another part of his speech:

If it be true that out of the common treasure the vacant public domain belonging to the United States could be given to a particular State or Territory because it happened to lie within the limits of that State or Territory, I ask if that principle does not authorize Congress to take the proceeds of this vacant public domain and distribute them among all the States which constitute the Union for which we are the trustees? Sir, the constitutional argument falls—falls upon principle as well as upon precedent.

The only point I make is that the Senator, as all of us do who advocate this bill, speaks of all the funds in the public Treasury without distinction as public treasure. Of course when the Senator made his argument at the close of his speech he confined it to the bill under consideration to the public lands.

Now, Mr. President, I have said all I intend to say upon this subject. I have made, I confess, a very desultory and unsatisfactory argument this morning. I have not felt well, but I felt it to be my duty to say what I have said in favor of a measure so much demanded by the people of my State. I have looked on this measure all along, I wish to repeat, as a generous offering made by the people of the Northern States to the people of the Southern States to aid them in working out the greatest of all problems with which a free people have ever been tasked. I shall not try to depict the trouble that we are in. It is sufficient to say that there is a large mass of uneducated people in the Southern States belonging to a class whose ancestors for hundreds of years have been unused and unaccustomed to self-government. I believe myself—I might as well say it here—that the capacity of the Anglo-Saxon race for self-government is in a large degree an inherited aptitude; I have no doubt about that. Those people are among us; they are citizens under the Constitution and laws of our country; they have a right to participate in the Government; the duty is imposed on them by law to participate in the Government; they are unfit, ignorant as they are, to engage in that participation. If the Northern people desire to help us in this great trouble I am willing to accept it. I understand this bill to have been offered to us by the North. I understand from a statement made by the Senator from New Hampshire, who has with such courage, ability, and patriotic zeal and persistent energy pressed the bill under all circumstances, that this bill was perfected by a Republican caucus. I accept it then, also, as an offer from that caucus. If the Republicans of the Senate desire to withdraw that offer, it is in their power to do so. If they will hold another caucus, if they are dissatisfied with the offering which they have made and withdraw the offer, that ends the measure. The Southern men who favor it can not pass it; it must fall for the want of support of those who made the offer.

I believe, sir, I have said all I desire to say on this subject.

Mr. DOLPH. Mr. President, I desire at some stage of the debate on this bill to submit some brief remarks. I presented and had printed some amendments which I propose to offer at the appropriate time. I had intended to submit what I desired to say upon the merits of the bill at the time of offering the amendments, but we have drifted away from the question before the Senate, which is the motion to adopt the amendment offered by the Senator from Indiana [Mr. HARRISON] to the amendment proposed by the Senator from Alabama [Mr. MORGAN], and have for several days been discussing the merits of the bill, and it appears as if that course will be continued until the Senate is ready to vote upon the several pending and proposed amendments and is impatient of further discussion. I shall therefore embrace this opportunity to say what I desire to say upon the merits of the bill as well as upon the amendments which I propose to offer.

The first amendment intended to be proposed by me is to add to section 1 the following additional proviso:

And provided further, That no money appropriated by this act shall be paid to any State until three-fourths of all the States have so accepted the provisions of this act.

The bill now contains, at the close of the first section, the following provision:

Provided, That no money shall be paid to a State, or any officer thereof, until the Legislature of the State shall, by bill or resolution, accept the provisions of this act; and such acceptance shall be filed with the Secretary of the Interior.

The bill as it came from the Senate committee, and the bill which passed the Senate at the last Congress, did not contain this provision. I believe it is a meritorious one and should be retained in the bill, but I think its presence in the bill necessitates the further amendment which I propose. I do not intend to discuss it at length. I propose to state to the Senate the reasons why I think it necessary and the object intended to be accomplished by it, and shall then submit it to the judgment of the Senate.

I start with this affirmative proposition, that no money shall be paid to any State until its Legislature has by act or resolution accepted the provisions of this act, from which it is reasonable to infer that it is the intention that whenever a State has accepted the provisions of this act it shall receive its allotment under it.

It is well known that there are several of the States whose legislative assemblies meet but once in two years. It may therefore happen that nearly two years will elapse after the bill shall become a law before some of the States will have an opportunity to determine in the manner proposed in the bill whether they will accept its provisions or not. In the mean time one or more States may have accepted the provisions of the bill, and the question will then arise, what course is the Secretary of the Interior to adopt in the execution of this measure? Is he to pay to those States which have accepted the provisions of the bill the proportion which they would receive if all the States had accepted its provisions, or is he to pay to the one or more States which have accepted its provisions during the first year the entire appropriation for that year?

If he is to pay only the allotment which is due to the States which accept the provisions of the bill, what is to become of the balance of the appropriation for that year? Will it lapse into the Treasury and be lost to those States which have had no opportunity to accept the provisions of the bill, whose Legislatures have not met, or will such States, after they have accepted its provisions, receive their allotments for the first year in addition to their proportions for the second year, or will they receive their allotments for the first year, and then the next year receive their proportion for the second year, and so on, the receipt by such States of their allotments for each year being postponed from year to year from the fact that they did not accept the provisions of the bill during the first year? Is it the intention of the Senate that we shall enter upon this scheme of Federal aid to education in a fragmentary manner and before a sufficient number of States have accepted the provisions of the bill to insure that the scheme can be carried out and will be successful?

These suggestions, it appears to me, show the necessity for some rule fixing the time when this proposed law shall go into effect and when the Secretary of the Interior, under the authority conferred upon him, shall proceed to execute it. It would be unjust to the Secretary of the Interior, or any other executive officer of the Government, to leave the execution of the law to him under the provisions of the bill as it now stands; and if any rule is necessary, if we are to prescribe the time when the money shall be apportioned and paid to the States, what shall be the rule? Shall we say, and I understand that to be the position of the chairman of the Committee on Education and Labor, that when a single State has accepted the provisions of this bill it shall receive its proportion of the money, that we will commence the expenditure of this money and put the law in operation when a single State has accepted its provisions, or when half a dozen States have accepted its provisions, or when a majority of the Southern States have accepted its provisions, or when a majority of all the States, or when three-fourths of all the States have accepted its provisions, as provided in the amendment proposed by me?

The second amendment which I propose to offer when the proper time arrives is to add to section 2 the following:

Until and including the year 1890, and afterward according to the census of 1890.

So as to provide that the distribution of the funds appropriated under the provisions of this bill shall be made in accordance with the census returns of 1880 until a new census is taken, and then the distribution shall be made according to the returns of the new census.

When the census of 1890 is taken it may be disclosed that the proportion of illiterates between the North and South and between the several States of the South has changed; and after we have another census to serve as a basis upon which to make the apportionment it certainly ought to be made according to the latest census returns.

The latter clause of the second amendment is as follows:

Provided, That the District of Alaska shall be considered a Territory within the meaning of this act; and the money apportioned to said District shall be ex-

pended annually, under the direction of the Secretary of the Interior, in the manner provided for the expenditure of other appropriations for educational purposes in said District.

This clause is necessary if Alaska is to be included within the provisions of the bill and to receive her proportion of the benefits of it. The late Secretary of the Interior, the Senator from Colorado [Mr. TELLER], says if Alaska is not included it ought to be. It is necessary to provide, I think, by this amendment that it shall be included, because, as I said on a former occasion, the Committee on Territories was careful to call the Territory of Alaska a district in framing a Territorial government for it. It is known in the statutes creating the Territorial government as the District of Alaska, but if it is already included, the amendment which I propose will do no harm. A further provision is necessary in regard to the distribution of the money to be appropriated to Alaska, because there are no school laws and no general system of education there. Therefore, the money should be disbursed by the Secretary of the Interior, under whose direction our annual appropriations for educational purposes in that Territory are applied.

As I shall proceed to show shortly, I think it will be necessary soon to establish some system of education in Alaska, to regulate by law the expenditure of appropriations for educational purposes there, and therefore this amendment provides that the money which the Territory would receive under the bill shall be expended as other and future appropriations for the purpose of education in the Territory are expended, making a certain rule upon that subject.

While upon the question of education in Alaska I desire to say a few words in regard to the necessity of educating the native youth of that Territory and of providing some system of education there. During the recess of Congress last year I visited Alaska, partly for purposes of pleasure and recreation and partly for the purpose of ascertaining the resources of the Territory and the adaptation of the new government that was provided by the last Congress for it to meet the needs of its people. While there I visited two of the industrial schools of the Territory, one located at Sitka and the other at Wrangel. While I was prepared to some extent by my information in regard to the work of education in industrial Indian schools for what I saw, I was agreeably surprised and much gratified with the character of the educational work being done in Alaska; and I was greatly impressed with the necessity of educating the native youth of that Territory, and also with the obstacles in the way of establishing anything like a uniform system of education in the Territory.

The appropriations which were made by the last Congress for the purposes of education in Alaska were so small and disproportioned to the needs of the Territory, that it was found necessary for the Secretary of the Interior in expending the appropriation for industrial education, instead of attempting to build school-houses and establishing new schools, to apply the money to the schools already in existence there, which had been established and supported by private contributions under the supervision of the Board of Missions of the Presbyterian Church; which he did by making contracts with some of those schools to take an additional number of pupils at a fixed rate per pupil. Although that was the only thing which it was practicable to do with the appropriation on account of the character of the country and the absence of all laws providing for a school system and the inadequacy of the appropriation, there is already complaint that the Government appropriations are being expended for the support of sectarian schools. I, therefore, think that the time will come before long when the Government will find it necessary to appropriate sufficient sums for education in Alaska, and to bring forward some system of general education for the Territory and regulate the expenditure of appropriations for educational purposes there by law.

The obstacles in the way of providing a system of education for Alaska arise from the vast extent of that Territory, being from north to south 1,200 miles in extent, and from the eastern boundary to the most western of the Aleutian Islands 2,200 miles, and embracing an area of 480,000 square miles, and from the fact that there are no roads in the Territory and no means of inland transportation or travel, and will not be for generations. All the facilities for travel and transportation are by Indian canoes and Government vessels, except about once a month when the ocean steamer from Portland arrives, and then the steamer only touches at a few of the principal points, and from the fact also that the native population is scattered all along the coast, 2,500 miles in extent, and along the principal rivers, and even upon the headwaters of streams in the interior living in small villages and communities.

There are in Alaska somewhere from 30,000 to 35,000 natives. Of these about 10,000 are children of school age. There are in Southern Alaska, which consists of a narrow strip bounding British Columbia on the west, and the Alexandrian Archipelago, consisting of some ten thousand islands, about 7,000 natives, among whom there are about 2,500 children of school age; and about 550 of those are now enjoying school privileges in schools maintained at the expense of the Government or in private schools. In Northern Alaska, which contains 23,000 or more native population, so far as I am informed there are but two schools, maintained by the Alaska Fur Trading Company upon the islands of Saint Paul and Saint George.

All of those Indians are self-supporting. They live by fishing and hunting, the principal industries of the country. They never can be placed upon reservations; they never can be put under Government surveillance; they never need be a tax upon the Government except for education; and from the character of the country, the fact that there are no roads, and that there are no means of transportation in the interior of the country, it never will be possible for the United States to keep them under control by military forces. They now greatly outnumber the whites in the Territory, and they will do so probably for a generation. It therefore becomes an imperative necessity to educate and civilize them, and every dollar which is expended in their education will save the Government the expenditure of \$10 in some other manner if they are not educated.

I met at Wrangel a very intelligent gentleman who has spent many years in the work of education in Alaska, and who has given the subject a great deal of study. I availed myself of the opportunity to learn what I could in regard to the educational wants of the Territory and as to the manner in which the Government schools should be conducted and the Government appropriations could be most profitably expended. I left with him certain points upon which I desired information and upon which I requested him to write to me after my return. He wrote me a letter which contains a great deal of valuable information and many valuable suggestions, stated concisely and well arranged. Although the letter was not intended for publication, I will submit it as a part of my remarks and have it appear in the RECORD. I call the attention of the chairmen of the Committee on Indian Affairs and the Committee on Appropriations to the letter, and I hope they will read it. It is as follows:

FORT WRANGEL, ALASKA, October 15, 1885.

SIR: In answer to your questions on the subject of education in Alaska, I would respectfully submit the following as the views of one who has been actively engaged in the work of education and civilization in the Territory for the last seven years. What I say must be understood as applying specially to Southeastern Alaska, or the Alexandrian Archipelago, the only portion of the Territory with which I am familiar.

I. The number of natives in Alaska is computed at 30,000, and of these more than half are called Indians, although their appearance, customs, mode of life, dispositions, and degree of advancement in mechanical arts prove them to be of different race from the Indians of the plains, and point to a comparatively recent Asiatic origin. The term Indian, applied to our natives here, is misleading.

The natives of this archipelago number about 7,000.

II. I am unable to give the number of children of school age, but would compute it at about two thousand five hundred.

III. There are at present in operation nine schools in the archipelago, classified as follows:

(a) Mission day schools, three, namely: One at Chilkoot Harbor, in the extreme north of the archipelago, taught by Miss Bessie Mathews. The second is at Hoonah, on Cross Sound, and is taught by Rev. J. W. McFarland and his wife. The third is at Longsight, in the extreme south of the archipelago, taught by two half-breeds trained at Fort Wrangel, Mr. Louis Paul and wife.

The teachers of these schools are all paid directly by the Presbyterian Board of Home Missions, and are accountable only to it.

(b) Government day schools, four:

1. At Sitka, Miss Powell, teacher.
2. At Juneau, Miss Murphy, teacher.
3. At Fort Wrangel, Miss McAvoy, teacher.
4. At Jackson, Miss Gould, teacher.

These schools are supported entirely by the Government, and are under the supervision of Rev. Sheldon Jackson, D. D., agent of education. They were formerly mission schools, but have been handed over to the Government.

(c) Boarding-schools, two:

1. The Sitka training-school, in charge of Professor A. J. Davis, with eight assistants. This school is supported jointly by the Presbyterian Board of Home Missions and the Government.

2. The Tinkit training academy, at Fort Wrangel, in charge of Mrs. S. H. Young and three assistants. This institution is supported entirely by private contributions and is under no society or board.

IV. The number of pupils attending these schools I would estimate at five hundred and fifty.

V. The education desirable for these natives is such as will fit them for citizenship. They are not "treaty Indians." They do not live on reservations. They stand on the same footing in regard to the owning of property and amenity to law as the whites. They need such an education as will enable them to compete successfully with the whites in arts and trades and become something better than mere "hewers of wood and drawers of water."

VI. The plan of education which the Government should adopt is indicated by the foregoing. Let common day schools be established in every considerable settlement, at least one for each native tribe and one or more in every town where there are whites. Let competent teachers be sent to them, school-houses built, and every effort be made to teach the children to talk and read in English.

Let no books be printed in the Tinkit language, and no work of translation be done except in the interest of philological science. The language of a barbarous people embodies and preserves its customs, superstitions, and vices. The language of civilization, substituted for this, will teach all the arts, customs, and habits of thought of the superior race. The sooner the Tinkit becomes a dead language the better for this people. Let these schools be open and free to whites, Russians, half-breeds, and Indians, without distinction.

But industrial education is by far the shortest road to Caucasian civilization. The two training-schools already established are sufficient for the wants of Southeastern Alaska, if properly equipped and managed. I would make the following suggestions:

Let the Government assume the entire control and support of the Sitka school, purchasing the buildings, if necessary, from the board of missions, that there be no conflict of interests or authority. Let the present principal and teachers be retained if found competent, and others procured if necessary. Let shops, under the supervision of trained workmen, be established, and this part of the school be emphasized. Let the Yakutat, Chilkat, Hoonah, Auk, Hoonchov, and Sitka tribes, occupying the northwestern half of the archipelago, be invited to send their most promising boys and girls to this school, that they may be fitted to engage in the rapidly developing industries of the archipelago and to assume the duties of enlightened citizenship.

Let the private training-school at Fort Wrangel be aided to the same extent and in a similar way. Let it be enrolled as a Government training-school to receive its share of the appropriations for industrial schools. Let the present



management be retained, if found competent; let suitable buildings be erected at Wrangel, or on the farm belonging to the institution; let the shoe, cabinet and carpenter shops, and printing office, already equipped with apparatus and tools, be provided with skilled instructors, other assistants be procured, and the school enabled to realize the idea of its founder more successfully than is now possible. Let the Tacoo, Stickine, Kake, Kooyou, Hanaga, Tongass, and Hydah tribes occupying the southeastern half of the archipelago be invited to send their children to this school to be educated at Government expense, the boys in the trades of use in the Territory, the girls in intelligent house-keeping, and all in the rudiments of an English education.

VII. There are obvious objections to expending the Government appropriations on sectarian schools. The following suggest themselves:

1. It tends to excite jealousy between different denominations.
2. It divorces from the schools the sympathy and aid of those interested in religious schools on the one hand, and on the other of those who do not belong to any denomination of professing Christians.
3. It is opposed to the principle of entire religious freedom and the complete separation of church and state.

But frequently the cry is raised that Government appropriations are used to aid sectarian schools when such is not the case. The plan I have outlined could not possibly be open to that objection. But the Presbyterian Church has until this year had the only schools in the archipelago since the purchase of Alaska, with one or two small exceptions. It has expended thousands of dollars upon these schools, and has erected buildings, employed teachers, and made successful efforts to enlighten the people. Its schools have been free to all classes. It now has a corps of competent teachers on the ground, brought from the Eastern States at its expense. To summarily dismiss these teachers would be unjust to them and to the church and injurious to the schools.

Let these teachers be retained so far as they are found upon examination to be competent; but let the Government introduce its own system of text-books, records, and reports, and the schools be brought up strictly to the requirements of the civil service. And hereafter let the superintending agent recommend for appointment the teachers to be employed, without following any denominational line, solely on the ground of their qualification as teachers.

VIII. The portion of Alaska southeast of Mount Saint Elias is so different in climate, resources, inhabitants, and general conditions from the rest of the Territory, and so isolated from it, that it ought to constitute an educational district by itself, with its own system and its own superintendent.

IX. The amount of money that can be economically and profitably expended in Southeast Alaska I would estimate for the present year at \$20,000 for the day schools and \$15,000 for each of the training-schools. Or, in regard to the training-schools, let a sum sufficient to supply them with suitable buildings, shops, and equipments be set aside for this purpose, and then let the appropriation for the running expenses of each school be proportioned to the number of pupils.

X. As the various towns and tribes in the archipelago are distant from each other and communication can be had only by water, and in most cases only by private boats or canoes, the Government should procure two small steam-launches or yachts, to be placed at Sitka and Wrangel respectively, under the control of the principals of the training-schools at these places. These boats should be used exclusively for the benefit of the schools, to be a means of communication between them, to convey supplies, to carry the superintendent of education on his visits to the day schools, and to procure pupils for the training-schools. The cost of these vessels would be small, and they are essential to the full success of the schools.

XI. In conclusion, allow me to call your attention more particularly to the condition and needs of the Tinkit training academy at Fort Wrangel, in charge of Mrs. Young. It is the only educational institution in the archipelago which has received no aid from either the Government or the board of missions, and yet it is more truly an industrial school and has more to show for its work in the advancement of its pupils toward self-supporting citizenship than any other school in Alaska. It has from its origin, three years ago, been entirely supported by private contributions, obtained in response to the letters and public addresses of its founder. From the first the effort was made to work as rapidly as possible toward self-support. A large farm—the only piece of land worthy of the name in this region, an alluvial meadow—was purchased, and the services of an experienced farmer secured. Machines and tools sufficient to fully equip carpenter, cabinet, and shoe shops were obtained.

The Government permitted us to occupy the buildings of the garrison. The boys of the carpenter and cabinet shops repaired, altered, and furnished them. Guns and fishing apparatus were bought, and thus the supply of animal food obtained. As one item, be boys killed for the use of the school in 1884 one hundred and twenty-one deer. For fruit, the children gathered berries. The boys of the shoe shop made and mended all the shoes used in the school. The farm furnished all the potatoes and other vegetables needed. For clothing we depended upon boxes sent by friends. Thus every effort was made to economize, and the inmates were taught that the condition of their remaining in the school was that they should do all they could to help themselves and each other. The girls did all the sewing and laundry work and general house-keeping. The boys procured the fuel, besides the other supplies mentioned. Each pupil was kept in the school-room half the day, and engaged in useful and instructive labor the other half.

Mrs. Young paid three assistants—a matron for the girls, a housekeeper, and the farmer. Thirty boys and girls were taken, the most of whom still remain.

But the support is inadequate and unreliable. Some societies, under pressure of the board of missions, which is naturally desirous of drawing the benevolences of the churches into its channels, withdrew their support. The farm, on which we based our principal hope of self-support, failed to realize those hopes, because we were unable to buy the team, implements, and stock needed. Instead of expanding and enlarging the work we were compelled to retrench. Most of the larger boys were dismissed to work for themselves, and the lady assistant was released to take charge of the day school.

The Government appropriation for industrial schools was all drawn to Sitka. Last May we sent an application for the unexpended balance, backed by the civil officers of the Territory, but we were too late.

As our only desire is to benefit these promising children, let the Government take up this school, using the shops, farm, printing-press, and supplies on hand, and furnishing such buildings, assistants, and equipments as shall suffice to fully organize and make successful this interesting school. Let it become a Government school, subject to all the requirements of the Department. A portion of the appropriation for the present fiscal year should be applied for the benefit of this school, and it should receive its full share of future appropriations. The present number of pupils is twenty-five. The adjacent tribes would gladly send their children to this school were it enlarged and equipped, while they will not send to Sitka; and in many respects, notably in the matter of the farm, Wrangel has decided advantages over the other town as the seat of such an institution.

Submitted, very respectfully,

S. HALL YOUNG,

Minister in charge of Presbyterian Mission, Fort Wrangel, Alaska.

Hon. J. N. DOLPH.

I have always had doubts as to whether the provisions of this bill were sufficient to accomplish the object which I suppose is intended to

be accomplished by it. It will be recollected that when the bill which passed the Senate at the last Congress was under discussion I offered an amendment proposing the appointment by the General Government of a commissioner to take in charge, to a certain extent, in the States the distribution of the fund proposed to be appropriated by that bill, and to see that it was distributed in accordance with the provisions of the bill; but I never dreamed until recently that the chairman of the Committee on Education and Labor supposed that the bill was at all defective in that regard or would fail to accomplish the purposes for which it was intended. I was, therefore, much surprised a week ago last Monday, when, according to my understanding of his language at the time, and I still think it will bear that construction, he distinctly conceded that the bill would not accomplish the object which I supposed it was intended to accomplish, when he alluded to the fact that there were four millions of children of school age in the Southern States not now enrolled in schools and not now receiving educational advantages who would not be reached by the appropriations to be made under the bill and who would not be benefited by it. If the money appropriated by this bill is not intended to reach that large illiterate class what in the name of common sense is the bill worth and who will it reach? Sir, I have not so understood this measure and have supposed that the intention of the framers of the bill was that this money should reach that very class.

Mr. BLAIR rose.

Mr. DOLPH. I will yield.

Mr. BLAIR. The Senator certainly is under a misapprehension as to my meaning or the construction of what I said. I have stated all along that, instead of being an enormous contribution, according to the necessity the amount we are giving is not by any means an adequate remedy to the entire evil or to anything like the extent that school privileges are already provided for the children of the North. I say it will help and help very much, but it is not sufficient to accomplish the entire purpose, to give the South educational facilities equal to ours, but it will help in that direction.

Mr. DOLPH. The language of the Senator was read by the junior Senator from Kansas [Mr. PLUMB] the other day. I did not intend to read it again. I think it has been in part explained away by the Senator from New Hampshire, but he stated the following:

It has been stated in the speech of the Senator from Tennessee [Mr. JACKSON] this afternoon that there are about four million children in the Southern States who are not enrolled at all, who are not attending school at all, and we by this bill make no provision for this vast uncultivated class who are outside the present operations of the common-school system, so that the appropriation is a trivial appropriation in comparison with the actual necessity of the country, and yet it is talked of as a mammoth appropriation, as a great bribe to those who may receive benefit from it.

I do not care to put any construction upon that.

Mr. BLAIR. The Senator will excuse me. In those same remarks and at half a dozen other times I have said that if we should apply the same amount that we give to the existing schools without any extension of the enrollment it would only then make the existing schools about six months in length instead of three, as they now are; but of course the money will not be so applied. It will be applied to the extension of schools where there are none now, to some degree, and also to an increase in the length of the schools already existing.

Mr. DOLPH. I agree with the Senator from New Hampshire, that if we are to enter upon this work at all, the amount proposed in this bill to be appropriated is not only not too large, but it is inadequate to the work; but that was not the point I was addressing myself to. The point I was directing the attention of the Senate to was that I thought it had been stated by the Senator from New Hampshire that the money to be appropriated by this bill would not reach the large class of children in the South who are not now enrolled in schools. As I said, I have not so understood the provisions of this bill. In the first section, after providing that \$77,000,000 shall be appropriated, and giving the amount to be appropriated each year, the bill continues:

Which several sums shall be expended to secure the benefits of common-school education to all the children of the school age mentioned hereafter living in the United States.

And in the third section it is provided that—

No money shall be paid out under this act to any State or Territory that shall not have provided by law a system of free common schools for all of its children of school age, without distinction of race or color, either in the raising or distributing of school revenues or in the school facilities afforded.

And in the tenth section it is provided:

That the moneys distributed under the provisions of this act shall be used only for common schools, not sectarian in character, in the school districts of the several States and Territories.

I had been led to believe from these provisions that it was the intention of this bill that before the States receive the benefit of it, the money to be apportioned to them under it, they should provide a system of free schools which should reach every portion of their territory and give every child of school age, white or black, within their borders an opportunity to acquire an education; but when I turn to the eleventh section of the bill, which provides what reports shall be made of the expenditure of the money received by the States and what shall be done in case there is a failure to observe the provisions of the bill,

and read it, I conclude that it is susceptible of a construction which will defeat the intention of its framers, that its provisions are inadequate to secure the application of the money to the education of the illiterate class. I find in the eleventh section that the governor of each State is required to report to the Secretary of the Interior among other things—

The number of public, common, and industrial schools, the number of teachers employed, the total number of children taught during the year, and in what branches instructed, &c.

But there is no provision in the bill, as I now remember, requiring that the governor shall report how many school districts there are in the State; that he shall report whether or not the whole State has been subdivided into school districts or other subdivisions for school purposes; that he shall report the number of children in each school district, white and black, with the number of children attending school in each district. He may under the provisions of the bill as it stands report the number of schools and the number of children, white and black, attending the schools, and no one can tell, neither the Secretary of the Interior nor any one else, from the report whether or not the money has been so distributed as to afford the means of education to all the children of school age in the State without distinction of color.

I have prepared an amendment to be inserted in section 11, line 12, after the word "also," which is as follows:

A statement of the number of school districts in such State or Territory, and whether any portion of such State or Territory has not been divided into school districts or other territorial subdivisions for school purposes, and, if so, what portion, and the reasons why the same has not been so subdivided; the number of children of school age in each district, and the relative number of white and colored children in each district.

If the report is required to contain the matters stated in this proposed amendment, then the Secretary of the Interior will be able to ascertain whether or not the territory has all been subdivided into school districts, whether or not schools have been maintained in all the school districts, whether or not the money has been impartially expended as between the white and colored children in the several school districts; and from that report he can determine whether or not the provisions of this bill have been faithfully complied with, and whether or not the State is entitled to receive the next allotment of money to be appropriated under this bill.

But, sir, when we come to the last clause of section 11, which may be said to contain the sanction of the bill, that is to say, the only part of the bill which provides any penalty, if I may use that expression without offense, for failing to comply with the provisions of the bill, I find it is provided:

And if any State or Territory shall misapply or allow to be misapplied, or in any manner appropriated or used other than for the purposes herein required, the funds, or any part thereof, received under the provisions of this act—

And now follows another provision—

or shall fail to comply with the conditions herein prescribed, or to report as herein provided, through its proper officers, the disposition thereof, and the other matters herein prescribed to be so reported, such State or Territory shall forfeit its right to any subsequent apportionment by virtue hereof until the full amount so misapplied, lost, or misappropriated shall have been replaced by such State or Territory and applied as herein required, and until such report shall have been made.

I understand the misappropriation here meant to be an entire diversion of a portion of the money to some other purpose than that provided in the bill; it is provided that if that shall be done and there shall be a failure to make the report no further apportionment shall be made to the State; but when the State has replaced the money so misappropriated and has made the report, then it shall receive its apportionment. In other words, the Secretary of the Interior shall cause to be paid over to the State this fund. But there is no penalty prescribed for not keeping the other provisions of the act. There is no penalty prescribed if the money is used for educational purposes and a discrimination is made between white and colored children. When the governor of the State makes a report and any money which has been taken from the fund has been restored to it, the next apportionment is to be made to the State.

I propose to strike out of this clause the words "or shall fail to comply with the conditions herein prescribed," so that it will permit the Secretary of the Interior to cause to be paid to a State its apportionment under this act after any money which may have been misappropriated has been restored and after it shall have made a report; and then I propose to add a provision for a case where the State shall use these funds contrary to the provisions of the act and shall discriminate between white and black children in the application of the fund to the purposes of education; I propose to add the following:

And if any State or Territory shall have failed, except as permitted by section 8, to apply the money expended by it out of the amount apportioned to it under the provisions of this act, for any one year, to the support of common schools, free for all its children of school age, without distinction of color, and in such a way as to provide, as near as may be, for the equalization of school privileges to all the children of the school age prescribed by the law of such State or Territory, within such State or Territory, no subsequent allotment shall be made under this act until Congress shall so determine.

I think this is a very necessary provision. My friend from New Hampshire says that the provision is not necessary, because Congress must make the appropriation in any case; but there are some able men in

the Senate who believe this bill carries its own appropriation and makes a continuing appropriation; and if it does not, and it is necessary for Congress to make in appropriation bills from year to year an appropriation to carry into effect the provisions of this bill, that appropriation will be made not later than the 3d of March and probably during the last days of February at the short sessions, and in other years it will be made during the last days of June. An appropriation may be made before a report is made. As the bill now stands it would authorize a report to be made at any time, and then the Secretary of the Interior would be authorized to pay the money which had been appropriated in advance by Congress to the State. Therefore it seems to me the misappropriation of the money, the application of it to the various schools of the State so as to discriminate between the children of school age in the State contrary to the provisions of this bill, ought to prevent the State from receiving any other apportionment until Congress shall so declare.

The amount appropriated by this bill may be, as it is stated by the chairman of the Committee on Education and Labor, a very inadequate sum for the exigencies of the case; but, sir, when we consider that this \$77,000,000 must be raised by taxation in some form from the people and upon the industries of this country, that its burdens will largely fall upon the laboring population of the country, upon men who labor for their daily bread and have children of their own to clothe and support, this sum assumes importance enough to require us to place in this bill sufficient provisions to see that it is applied in the States in accordance with the intention of the friends of the measure.

I do not intend to discuss these amendments or the bill at length, and I desire it to be distinctly understood that the amendments are not proposed out of any hostility to this measure or the people of any portion of this Union. I am in sympathy with the object sought to be accomplished by this bill, so far as I understand it, which is the education of the illiterate children of school age in the South, who it is conceded are largely composed of colored children.

I confess that I am not as clear as to the constitutionality of the measure as I was when it was under discussion at the last Congress; but if this bill can be put in such a shape as to reasonably assure me that the money to be appropriated under its provisions will be used in the manner intended by the friends of the bill and will promote the object sought to be attained, the education of the colored children of the South, and not otherwise, I stand ready to resolve whatever doubts I have as to the constitutionality of the measure in favor of it. But, sir, as the money to be appropriated under this bill is to go largely to the Southern States, as it is admitted that the necessity which calls for Federal aid exists in the Southern States alone, as the illiteracy of the colored people of the South is the excuse for making this large appropriation from the Federal Treasury, I would much prefer to support a bill which made appropriations to the Southern States only.

I agree with the Senators from Kansas, and with others who have taken the same view of the matter, that the people of the Northern States have not demanded this aid, that they do not need it. The money which they will receive under the provisions of this bill, in my judgment will be an injury to the common school systems of those States. It will, it is true, relieve the people of those States in some measure from the burden of taxation for school purposes, but it will teach them to rely upon the Federal Government for aid, and make them feel more keenly the burdens of taxation when that is withdrawn, and I fear it will lessen their estimate of the value and benefit of their common school system.

One of the greatest objections to my mind to this bill is, that it makes an appropriation for the aid of the education of the people of the North where it is not needed, and where the money will prove an injury to the existing system of common schools which, supported and controlled by the States alone, has made such unexampled progress, has achieved such grand results. In a word, sir, I do not believe that the cause of education or the general welfare of this country demands that money should be appropriated out of the Federal Treasury to aid education in the North, and the fact that it does raises to my mind one of the greatest constitutional objections to the bill. And, sir, inasmuch as it is admitted that the necessity for this aid is the illiteracy of the colored people of the South I should much prefer that whatever money is appropriated for the cause of education in the South should be made directly and exclusively for the education of that race and for the support of colored schools. The constitutional objections which could be made to such a bill—

Mr. GEORGE. Will the Senator allow me to make a statement there?

Mr. DOLPH. Certainly.

Mr. GEORGE. I understand the suggestion of the Senator to be that it is proposed to make this appropriation directly for the education of colored illiterates of the South.

Mr. DOLPH. I think so.

Mr. GEORGE. I would suggest this difficulty to the Senator on that subject, that by the constitution of the State of Mississippi and the other Southern States the school fund is directed to be appropriated equally and impartially to the two races without distinction on that subject, and that by the act of admission or readmission into the Union of the Southern States the provisions of their constitutions on this subject are made fundamental conditions, and that the result



of a law now giving this fund exclusively to the colored people would be that the colored people would be entitled to share equally with the whites in the State school fund which is insufficient for both races, not only the school fund that now exists, but any that might be raised, and then in addition to that they would have this Congressional bounty.

Mr. EDMUNDS. May I ask my friend from Mississippi for information what the state of things is on this point? I understand him to say that by the law of Mississippi, whether constitution or statute no matter, there is no discrimination between colored and white children in respect of receiving the benefit of the school fund.

Mr. GEORGE. None whatever.

Mr. EDMUNDS. Now, does the law of Mississippi provide for separate white and colored schools, or is the education common?

Mr. GEORGE. It provides for separate schools.

Mr. EDMUNDS. Does the provision of law which distributes the fund distribute it to those separate schools as such, or how?

Mr. GEORGE. The common-school fund is distributed in Mississippi in about this way: The teachers are paid per capita for the scholars, so much for each scholar that attends school, and wherever a school can be gotten up of sufficient numbers to authorize the employment of a teacher or a teacher can be gotten at the price per capita allowed by law, one is established.

Mr. EDMUNDS. May I ask the Senator, with the permission of my friend from Oregon—

Mr. DOLPH. I yield with pleasure.

Mr. EDMUNDS. May I ask how many white schools, in round numbers, there are in Mississippi or were in the last year, or the year before that?

Mr. GEORGE. I am very sorry that I am not able to answer that question. Before I came here this winter I procured a statement from the superintendent of education upon that subject, giving the number of white schools, the number of colored schools, the number of teachers employed in each, and the number of children attending each. When the discussion arose upon this question I looked for that paper and I was unable to find it. I have a general knowledge, though, of this sort, because I am pretty familiar with the condition of things there, and I feel authorized to state that there are as many or more colored children attending the common schools of Mississippi than there are whites. I feel safe in making that statement.

Mr. EDMUNDS. But I suppose among the children of school age there must be two or three times as many colored children as white children in that State.

Mr. GEORGE. Oh, no, not two or three times. There is a majority, about one hundred and seventy-five thousand or one hundred and eighty thousand majority of colored people in the State of Mississippi out of a million and a quarter people.

Mr. EDMUNDS. Is not all this information to be found in the published reports of the superintendent of education or some official of that State?

Mr. GEORGE. I presume so. I have not looked that up. I had that paper, or I thought I had it among my papers.

Mr. EDMUNDS. About what year were these school laws made in respect to the distribution of the funds? Whereabouts in the statutes of Mississippi can this information be got?

Mr. GEORGE. In answer to that I will state that the present school system was inaugurated immediately after the adoption of the constitution in 1869, and the laws enacted in Mississippi from 1869 up to 1876 were enacted by Legislatures that were supposed especially to represent the colored people. I suppose the Senator understands that. They were Republicans, and a majority of them were elected by the votes of the colored people. Since 1876 the majority has been Democratic in the State Legislature, and I suppose laws have been passed all along during all these years from 1870 up to the present time.

Mr. EDMUNDS. May I ask from what the school fund of Mississippi is derived? By direct taxation, or out of a fund, or how?

Mr. GEORGE. The school fund of Mississippi is derived, first, from all fines and forfeitures for breaches of the criminal laws, the licenses for retailing vinous and spirituous liquors, receipts from the redemption—that is a singular provision of our constitution—from the redemption of land when forfeited to the State for non-payment of taxes. This seems to be the rule on that subject. In Mississippi if taxes are not paid on a tract of land it is put up by the tax-collector and offered for sale. If a private individual buys it, he gets title to the land and the money goes into the treasury. If no private purchaser will bid the amount of tax due upon the land, then the land is knocked off to the State; the State becomes the purchaser. Then, say, for two years—I believe that is the time—the owner has a right to redeem the land. The redemption money when the land once goes to the State goes into the common-school fund, although the tax on that land of itself would not have gone there. I believe those are the general sources of the fund.

Mr. EDMUNDS. All this is merely a current fund; there is no permanent fund?

Mr. GEORGE. I am going on now to make a statement. Then there is local taxation.

Mr. DOLPH. I should like to resume.

Mr. GEORGE. I am very nearly through. My colleague reminds me of another fund. Under the constitution the Legislature may levy

a poll-tax not exceeding \$2 per head. I believe about \$1 is now levied, owing to the difficulty of collecting the larger amount. Of the colored people not one in ten paid the poll-tax at the higher price, and it is now fixed at \$1. But by the constitution of the State that poll-tax goes exclusively to the school fund. In other words, the polls can not be taxed in Mississippi except for school purposes. Then there are local taxes in the counties levied in the counties for schools in the counties, and then the State—I desire to call the attention of the Senator from Vermont to this—without levying any special school-tax, the Legislature every year makes an appropriation of one or two hundred thousand dollars out of the general fund raised by the State for school purposes.

I believe I have about answered the question.

Mr. DOLPH. I am not going to occupy many minutes.

Mr. EDMUNDS. I did not mean to trouble the Senator.

Mr. DOLPH. It is no trouble. I do not see from the statement of the Senator from Mississippi that there would be any difficulty in applying this fund as I have suggested. If it is true that the illiteracy of the colored race is the necessity which calls for Federal aid, and if it is also true that in Mississippi there are separate schools, schools for the white and schools for the colored children, I see, I say, no difficulty in applying the fund which is appropriated by the Federal Government to aid the colored schools, and there is no reason why colored children should not also participate in the funds which are raised by the State for the purposes of education.

I do not think that there would be any graver constitutional objections to such a bill than can be urged to this bill. As was said by the junior Senator from Kansas [Mr. PLUMB], this bill does not proceed upon the idea of equality between the States. Under its provisions the Northern States will receive small apportionments out of this money, and they will contribute large sums to the fund; and the Southern States will receive correspondingly large sums and contribute correspondingly small sums; so that the bill can not be defended upon the principle of equality; and if equality between the States is at all necessary in the appropriation of money from the Federal Treasury for the purpose of education, then this bill is palpably unconstitutional; and, besides, the same objection could be raised to every appropriation which we make annually for the support of Indian schools that could be raised against a bill making appropriations for colored schools alone.

But, sir, I do not believe that equality is necessary. I think the constitutionality of this measure, if affirmed at all, must be affirmed on other principles. The people of this country, North and South, are one people with equal rights and privileges guaranteed by one Constitution and regulated by general laws prescribing equal obligations and duties. Within the limits of the Federal Constitution this nation is a unit, and Congress in its benefactions and in the exercise of its powers should know no section of this country. The common defense and the general welfare are intrusted to Congress, and it should be a matter of constant solicitude how they can best be promoted. A danger in New York or in Oregon or in Mississippi or in Alabama which threatens the political fabric is a national danger, whether that danger arises from the fact that a considerable portion of the citizens of those States intrusted with the ballot are illiterate or from force or fraud which prevents an intelligent and free and full expression of the will of the majority at the polls; and when such a danger exists it is the duty of the General Government, through its legislative department, to remove the danger by appropriate legislation.

The fathers of the Republic believed that the prosperity and happiness of the people and the perpetuity of republican institutions depended upon the intelligence and virtue of the people and their belief has become crystallized into an axiom in our politics. A large amount of illiteracy in any government is a menace to it. The remedy for such an evil, the defense against such a danger, is to educate. As was said by the senior Senator from Kansas [Mr. INGALLS] the other day the paramount duty of educating the illiterates in any State lies with the State itself; and it is as much the duty of Mississippi and Alabama and Georgia to educate their illiterate citizens as it is of all the other States of the Union. But when for any cause an illiterate population in any State can not be educated, and when in the opinion of Congress the illiteracy exists to such an extent as to imperil the prosperity of the people and the perpetuity of the Government, I believe it to be the duty of Congress, legislating for the common defense and the general welfare, to eradicate the evil and to defend against the danger.

It will be seen that I base the constitutionality of this measure entirely upon the existence of illiteracy in the several States to such an extent as to call for Federal aid. I do not stop to inquire who is responsible for that illiteracy, but I am not willing to admit that the people of the North or the Federal Government are under any moral or legal obligation to the Southern States or the colored people of the South to educate them because being slaves they were made free and have been made citizens of the United States. The people of the North have committed no crime against the colored people of the South. The Federal Government has done no injury to the Southern States or to the people of the Southern States, white or black.

Sir, I glory in the history and the achievements of the great Union Republican party, in its administration of the National Government, including the striking of the fetters from four millions of slaves and

making them freemen, and I have no excuse and no apology and no restitution to offer.

The colored people of the Southern States do not exert that influence which they are entitled to by virtue of their numerical strength. "Knowledge is power." Education will complete that which was begun by the emancipation proclamation and the fifteenth amendment. It will teach men who are free by the will of the people of the United States, as expressed in the Federal Constitution, to know their rights, and, as was said yesterday by the Senator from New Hampshire, knowing their rights dare to maintain them.

The senior Senator from Kansas [Mr. INGALLS] the other day spoke to us about the influence of education in settling and developing the Northern States. He drew a vivid picture of the march of civilization from Plymouth Rock to the shores of the Pacific, and grand as the story was it was not overdrawn. There is no doubt that the thrift and energy and enterprise which have swept across the continent on parallel lines from the shores of New England, overcoming every obstacle, subduing every foe, transforming the wilderness into fertile fields and populous cities, laying the foundations of great and populous and wealthy States, is largely the outgrowth of the general diffusion of knowledge by the common school system.

Sir, I trust I have a just pride in the achievements of the people of the North. I know something of their privations, of their toils, and of their successes, but I listened with no greater degree of pride or pleasure to the story of their achievements than I did to the recitals of the wonderful advancement which the people of the South have made in every branch of material prosperity since the war. The prosperity of any portion of the country is the prosperity of the whole, and I see in the increasing prosperity of the South, in her increasing manufacturing interests, in her increased facilities for transportation and travel, in the newly-awakened and growing interest in education, a prophecy and a promise of a glorious future when the South in wealth, in prosperity, in the general diffusion of knowledge, and I hope too in the free exercise by all her citizens of all their civil and political rights, will rival any other portion of our common country; and I pray God to speed that day.

I read not many days since an article reviewing the Blair bill published in the *Inter Ocean*, of Chicago, under the caption of "National Education." It was written by a gentleman who has had large opportunities to observe the social and political and educational systems of the South, a gentleman who has made this question of national aid to education a study, a gentleman who is thoroughly in favor of educating the colored population of the South, but who believes that this bill with its present provisions would be unjust to the people of the South, and would not accomplish the object for which it was intended. If I could expunge some of the more vigorous expressions concerning the dominant party in the South without doing injustice to the author and without impairing his presentation of the case I should be glad to do it, but as I can not do it I ask leave to incorporate the whole in my remarks.

The PRESIDENT *pro tempore*. If there be no objection the paper sent to the desk by the Senator from Oregon will be inserted in the RECORD by the Reporter.

The paper is as follows:

INDIANAPOLIS, IND., February 13.

The educational bill now before the Senate is a curious instance of the lack of political knowledge and sagacity on the part of legislators who merely jump at an idea without taking the trouble to investigate details. So far as the matters herein referred to are concerned, it is identical with the Blair bill which passed the Senate at the last session of Congress and the Willis bill, which was reported to the House but failed to be reached on the Calendar. These measures are based on the following hypothesis:

1. That a sum of money be appropriated to each State for the cure of illiteracy—the amount assigned to each being estimated on the number of illiterates in each State, according to the census of 1880.

2. That the same shall be used by the respective States for the promotion of elementary education in the public schools, without distinction as to race.

As a result about four-fifths of the fund will go to the Southern States, as it ought to do, in order to remove

#### THE OVERWHELMING IGNORANCE

of both races in that region. The necessity for this is readily shown by the following tables, compiled from the census of 1880:

	Total population.	Illiterates ten years old and upward.
The North .....	31,938,459	1,442,064
The South .....	18,217,324	4,808,523
Total .....	50,155,783	6,250,592

In fact, the measure is designed really to aid the educational interests of the South, which were prevented from keeping pace with those of the North by the fact of slavery in the antebellum days, so that the burden of properly educating the masses is now greater than those States can possibly bear. This is not only just and proper because of the nation's responsibility for slavery, by which the North became a partaker in its profits and responsible for its injustice, but is also a matter of sound policy. The nation, by Congressional action and its unavoidable results, gave the freedman of the South the ballot. By this means the property qualification which had been attached to the exercise of the elective franchise in most of those States was broken down and suffrage made universal among the whites also. The result of this is that the whole mass of Southern ignorance is represented in our national affairs either by the exercise of ballot-

torial power by illiterate voters or their deprivation of such privilege because of the weakness resulting from their ignorance. The extent of the peril arising from this may be seen by examining the following table:

*Illiterates ten years old and upward.*

State.	Illiterates.	Per cent. of population.
Virginia.....	430,352	40.6
North Carolina.....	463,975	48.3
South Carolina.....	369,848	55.4
Georgia.....	520,416	49.9
Florida.....	80,183	43.4
Alabama.....	433,447	50.9
Mississippi.....	373,201	49.5
Louisiana.....	318,380	49.1
Total illiterates in eight States.....	2,989,802	
Average per cent. of illiteracy .....		48.4
Average per cent. in the Northern States and Territories.....		8.5

No one can dream for a moment that republican institutions are safe when 75 per cent. of a majority in Senate, House of Representatives, and the electoral college is controlled by a population 48 per cent. of which are unable to read and write. In fact, no thoughtful man will fail to perceive that the whole sum of \$10,000,000 a year, or thereabouts, should be expended at the South. The Northern States do not need the pittance each would receive, and it seems almost farcical to include them in the bill. It should have embraced only those States in which the percentage of illiterates exceeded 12 per cent. of the population, and should cease as to any State as soon as its percentage of illiteracy was reduced to that limit. This proportion of ignorance is easily handled by the States themselves, and may be accounted not dangerous to the nation.

The most important fact connected with the measure, however, is the relation it bears to the education of the two races. It should be borne in mind that in all the Southern States the schools for the two races are distinct, and the funds for their support are now distributed according to the number of each race in the separate school districts, or else according to the number of children of each race within the school ages, as prescribed by the laws of the respective States. Practically there is no difference in these standards; to distribute according to the number of children is in effect to distribute according to the proportion of the two races. So that, if a State have 1,000,000 whites and 500,000 blacks, the white schools will have twice as much money as the colored schools.

The bill in question requires the fund thereby appropriated to be distributed in the same manner as the respective school funds, though it is assigned to the States on the basis of illiteracy. According to the report of the House committee of the last Congress the State would receive on account of each illiterate about \$1.50 on the basis of an appropriation of \$10,000,000. This sum, distributed as proposed, would give to the white schools of each State more than one-half of the whole sum, though only about one-fourth of the illiterates are of that race. In other words, instead of the national fund going to the education of the respective races in the ratio of their illiteracy each white illiterate will draw from this fund two or three times as much as the colored illiterate in the same State.

The following table will show the practical operation of this measure:

*Black and white illiteracy, census of 1880, ten years old and upward.*

States.	White.		Black.	
	Illiterates.	Per cent.	Illiterates.	Per cent.
Virginia.....	114,692	18.2	315,660	73.7
North Carolina.....	192,032	31.5	271,943	77.4
South Carolina.....	59,777	21.9	310,071	78.5
Georgia.....	128,934	22.9	391,482	81.6
Florida.....	19,763	19.9	60,420	70.7
Alabama.....	111,767	24.7	321,680	80.6
Mississippi.....	53,448	16.3	319,753	75.2
Louisiana.....	58,951	18.4	259,429	79.1
Total.....	739,361	22.2	2,250,438	78.1

It will be seen that there were almost three times as many colored as white illiterates, and, considering the character of the appropriation and the fact that all the school-houses and educational equipment of the ante-war systems in those States are held by and for the use of the white race, it would seem as if good policy and common sense would demand that the remedy should be spread somewhat evenly upon the sore—that the colored schools should be benefited somewhat in proportion to the amount to be received by the State on account of colored illiteracy. The following tables will show what would actually occur under the provisions of this bill. See foregoing table for the number of white and colored illiterates in each State, and for the amounts that would be received by several States on account of white and colored illiterates respectively on a basis of \$10,000,000, or \$1.60 for each illiterate:

States.	Received on account of white illiterates.	Paid on account of colored illiterates.
Virginia.....	\$184,424	\$505,172
North Carolina.....	308,316	435,184
South Carolina.....	98,817	493,883
Georgia.....	205,688	612,312
Florida.....	32,000	96,000
Alabama.....	179,252	515,348
Mississippi.....	85,199	512,801
Louisiana.....	94,623	415,377
Total.....	1,182,405	3,600,692



In other words, these eight Southern States would receive from the national Treasury on account of 739,364 white illiterates \$1,182,406, and on account of 2,250,438 colored illiterates would receive annually \$3,600,692 of the public funds of the nation. How would this be divided between the races? Who would be the real beneficiaries of the fund under the provisions of this bill? If distributed as the bill requires, supposing not a dollar to be lost or wasted, the white and colored schools would receive it in the proportions shown in the following table:

*Amounts that white and colored schools would receive respectively under the Blair bill in several States.*

States.	Population.		Schools would receive—	
	White.	Colored.	White.	Colored.
Virginia.....	880,858	631,707	\$401,877	\$287,728
North Carolina.....	867,242	532,505	460,718	282,782
South Carolina.....	391,105	604,472	233,916	358,784
Georgia.....	816,906	725,274	442,528	391,472
Florida.....	142,605	126,888	71,763	56,237
Alabama.....	662,185	600,320	364,363	330,237
Mississippi.....	479,398	652,199	253,285	344,735
Louisiana.....	454,954	484,992	247,125	262,875
Total.....	4,695,253	4,335,357	2,475,555	2,314,850

In other words, these States receiving \$1,182,406 from the national Treasury on account of 739,364 white illiterates, and \$3,600,692 on account of 2,250,438 colored illiterates, will apply \$2,475,555 of this fund to white schools, and only \$2,314,850 of it to colored schools. So that while each illiterate black and white alike will draw \$1.60 from the national Treasury for the benefit of the State, each white illiterate will receive for his education in a white school several times the amount that will be applied to the education of the colored illiterate in the schools of his race.

The following table shows the comparison between the amounts applied for the benefit of each:

*Comparative value of white and colored illiteracy under the Blair bill.*

States.	Amount received from General Government for each illiterate.	Amount applied to white schools for each white illiterate.	Amount applied to colored schools for each colored illiterate.
Virginia.....	\$1 60	\$3 54	\$0 90
North Carolina.....	1 60	2 60	1 03
South Carolina.....	1 60	3 89	1 15
Georgia.....	1 60	3 43	99
Florida.....	1 60	3 63	93
Alabama.....	1 60	3 26	1 02
Mississippi.....	1 60	4 73	1 07
Louisiana.....	1 60	4 21	1 01

It is no wonder the most ardent Bourbons of the South are in favor of the Blair bill. It enables them to make the ignorant negro simply a cat's-paw with which to pull chestnuts out of the fire for the benefit of themselves. Such sentimental obstructionists as Mr. Blair may think that the colored man, when he comes to understand the full force and effect of this measure, will feel highly gratified to know that those who made his ignorance compulsory, who made it a felony to teach a slave and a misdemeanor to teach a free black to read or write, are now able to appropriate the lion's share of the nation's bounty to their own use and benefit. There seems to be almost no limit to the capacity of our Northern legislators to play into the hands of their Southern antagonists.

The Republican party fairly forced upon the negro the power of the ballot, for the negro's sake, of course, and had hardly begun to boast of its sagacity in so doing before the ku-klux klan wrenched it from the negro's feeble hand and appropriated its power for the advantage of the Bourbon Democracy. Now, Mr. BLAIR and his company of heedless enthusiasts are anxious to immortalize themselves by appropriating money under the plea of educating colored illiterates, to be used instead for the benefit of those who kept the negro in ignorance, and will keep him in subjection until he becomes strong enough to assert his rights and manfully maintain them.

It is no wonder, in view of these facts, that the cheap, simple, practical method which I had the honor to present to the country in "An Appeal to Caesar," a year ago, was so bitterly assailed by the Bourbon leaders of the South. By that plan waste and misappropriation were made practically impossible; and the colored schools of every township were secured the benefit of just that proportion of the fund to which the colored illiterates of the township entitled them. In other words, colored illiteracy would have been enabled to share fairly and equally with white illiteracy in the nation's bounty. If this outrage on the just rights of the colored people of the South shall be consummated by the active agency of Republican Senators, the negro will have reason to pray to be delivered from his friends almost as heartily as he besought relief from bondage.

ALBION W. TOURGEE.

Mr. PLATT. Mr. President, I do not wish to occupy the attention of the Senate more than five minutes. I have taken no part in this discussion. I am in great doubt as to how I shall vote upon this bill. It will depend somewhat upon the shape which I shall find that it has assumed when it reaches a final vote. But I have been studying the figures of this case somewhat and I want to put them in the RECORD so that if they are wrong they can be corrected.

I think this bill receives its support in my section of the country, in my State, because good, philanthropic people believe that we ought to aid largely in the education of colored children at the South. I believe the people whom I represent think that the object and design and effect of this bill is to accomplish that purpose. If the figures which I have

made up are correct, a very small portion of this money is going for the education of colored children in the South.

Out of the whole \$77,000,000 but between \$18,000,000 and \$19,000,000 are to be applied, according to this bill, to the education of colored children in the South. What I want to do, what I would be glad to do by a bill, is to appropriate money for that purpose alone. I do not want to aid the Southern States in the education of white children, and I do not want the General Government to aid the Northern States in the education of any children. The thing that troubles me about voting for this bill is that it asks me to vote \$58,000,000 and over for the education of white children and only between \$18,000,000 and \$19,000,000 for the education of colored children.

I have taken from the tables furnished by the Senator from New Hampshire in his speech, the amount of money which each State is to receive under this bill. I have it carried out in each case, even to dollars and cents. By it I find that the Northern States and Territories receive \$18,571,468, leaving for the Southern States \$58,428,532. The items are as follows:

*Amount to be paid to free States and Territories.*

Arizona.....	\$72,388 30	Nevada.....	\$50,419 04
California.....	662,051 95	New Hampshire.....	177,216 30
Colorado.....	129,783 50	New Jersey.....	659,809 18
Connecticut.....	352,202 22	New Mexico.....	708,220 88
Dakota.....	59,737 09	New York.....	2,721,066 98
Idaho.....	22,631 23	Ohio.....	1,633,718 21
Illinois.....	1,801,616 45	Oregon.....	91,978 52
Indiana.....	1,372,441 25	Pennsylvania.....	2,825,324 98
Iowa.....	577,532 84	Rhode Island.....	307,210 44
Kansas.....	459,147 72	Utah.....	109,363 10
Maine.....	274,708 81	Vermont.....	196,236 51
Massachusetts.....	1,152,116 61	Washington.....	48,188 66
Michigan.....	789,592 67	Wisconsin.....	688,420 03
Minnesota.....	428,090 02	Wyoming.....	6,889 40
Montana.....	21,151 46	Total.....	18,571,468 00
Nebraska.....	142,843 63		

*Amount to be paid to former slave States.*

Alabama.....	\$5,370,848 45	Missouri.....	\$2,586,674 03
Arkansas.....	2,563,170 97	North Carolina.....	5,749,121 37
Delaware.....	240,559 17	South Carolina.....	4,582,792 26
Florida.....	993,548 79	Tennessee.....	5,089,262 62
Georgia.....	6,448,482 66	Texas.....	3,320,913 78
Kentucky.....	4,316,930 63	Virginia.....	5,332,498 25
Louisiana.....	3,945,051 48	West Virginia.....	1,067,896 33
Maryland.....	1,665,442 88	Total.....	58,428,532 00
Mississippi.....	4,624,339 33		

Now, turning to page 1270 of the RECORD containing the Senator's speech of February 10, I find that there are in the Southern States which are to receive these \$58,000,000, of white school population, 3,899,961; of colored school population, 1,803,257. In other words, the school population of the South which is to receive these \$58,428,532, is 68.3 per cent. white. Now divide that \$58,428,532 between the white children and the colored children and you will find that 68.3 per cent of it, which by this bill must, I suppose, be applied to the education of the white children unless a distinction is made, and I understand none is intended by the bill, would give for the education of white children in the South \$39,954,014 and for the education of colored children only \$18,464,518.

Mr. GEORGE. Will the Senator allow me to ask him a question? Mr. PLATT. Certainly; but I am really through with my remarks.

Mr. GEORGE. I desire to know where you run the line as between the South and the North.

Mr. PLATT. In the Southern States I include Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

Mr. GEORGE. Are Maryland and Delaware left out?

Mr. PLATT. No; I spoke of Delaware and Maryland. I include all the former slave States. I only desire to put these figures in the RECORD that they may be corrected if they are not accurate.

Mr. BLAIR. I can as well explain to the Senator on his point now as at any time. He is correct in stating that the theory of the bill is to instruct white and colored children alike, to give them the same assistance from the National Government, or to so apply this money that it shall result in white and colored children having the same opportunity for education. The figures which he gives us show the just proportion existing between the white and colored school populations of the South. About two-thirds are white and one-third colored. He says sixty-eight and a fraction per cent. are white and the rest are colored. If it were just 33 per cent. colored it would be just 66 per cent. white, so that you see mathematically the relation between the two races is almost that of 2 to 1.

The theory of the bill is that there shall be no difference between the education of the white child and of the colored child, and it is quite as much for the benefit of the colored children who are to live with the white children now and hereafter that their white associates whose parents have subjected them to indignities in the past shall be elevated by education so that they will have a living chance among them. That is the theory of the bill; and in order to secure this equalization of school privileges, the bill does not say that this amount

which the National Government contributes shall be divided exactly per capita between all the children, white and black. The theory of the bill being that there shall be no discrimination between the children of the two races and that an equalization of school privileges or advantages shall be secured to all regardless of color, the bill provides, in the tenth section, which I incorporated in my remarks yesterday, that the fund coming from the National Government combined as it will be with the State school fund, the whole shall be so distributed as to secure this equality of school privileges.

If, as is suspected by many, and as is complained of by some—and I do not know whether it may not be admitted in some instances is the case—the white child at present receives a larger proportion of the school funds at the South than the colored child, then if this money is distributed according to the provisions of this bill the colored children will come to share more largely of it; and this is the way that the money of the national appropriation combined with the money of the State appropriation, the whole is to be distributed then in violation of the practice which has thus far obtained in the South where there is this discrimination in favor of the white race. The whole hereafter is to be so distributed that there shall be no discrimination. If it is not so distributed, then when the question comes to Congress whether there shall be a further appropriation the Congress may withhold any further appropriation, and it is tried year by year to see whether this rule of distribution is observed, the funds of the National Government being applied with those of the State government and the whole distributed in such a way as to give an actual equalization of school privileges to all. That is the theory of the bill, and I do not know how it can be made to serve the purpose any more perfectly.

Mr. PLATT. May I ask the Senator a question?

Mr. BLAIR. Certainly.

Mr. PLATT. Does he think that in New England, for instance—I do not like to speak of anything which has a sectional sound—but does he think that in that portion of the country which we both represent it is understood generally among the public that this bill is for the purpose of aiding the education both of white and colored children, and that such a large proportion of the money appropriated will go for the purpose of the education of white children?

Mr. BLAIR. I certainly think so. I think the people all through the country who take an interest in this bill understand that it is to secure this equalization of school advantages. As a matter of fact the people of the North, or at least great numbers of them, believe that the colored race is discriminated against. I believe that it is discriminated against in many localities. I have come to believe that as a rule the disposition in the Southern States of the dominant race is to do justice to the colored child; but that a discrimination exists there to some extent I doubt not, and therefore it is that the tenth section of this bill provides that the money shall be so used as to secure an equalization of advantages. If you could treat the school fund of the State and the school fund coming from the nation as separate amounts or sums of money, and they were to be distributed separately and the school fund of the State should continue to be distributed with discrimination as in the past it is supposed to have been, then under the provisions of this bill the school fund coming from the national Treasury must be given more absolutely to the colored population, and if necessary must go *in toto* to the colored population; otherwise that equalization of school privileges can not be secured which the bill demands and which must be carried out so far as it possibly can be, or there will be no subsequent annual appropriation.

Mr. LOGAN. Will the Senator allow me to make a suggestion? The distribution of the fund under this bill is based on the illiteracy of those of ten years of age and upward. That being the basis, the illiteracy, why could it not be distributed according to the illiteracy of the white and colored children? In that way you certainly would give the colored children a greater proportion than you do by this scheme. If that is the intention of the bill—and it seems to me it ought to be at least—why not amend the bill in that respect so as to distribute according to the illiteracy of the two classes of people?

Mr. BLAIR. I do not know how that could be done without involving great difficulties, and probably resulting in discrimination. We certainly should recognize it if, by so doing, the money should be distributed to some extent on the basis of color. The bill undertakes to obliterate that distinction; and the bill, in order to insure that obliteration and that equality of privileges, provides that all the children shall have an equality of privilege, and the money shall so go.

Mr. LOGAN. The Senator misunderstands me. The money is appropriated from the Treasury by this bill based on the illiteracy of persons ten years old and upward. That does not discriminate at all. But in the distribution for school purposes, when we come to distribute the fund to the schools in the States, why could it not be distributed then on the basis of the illiteracy of the races in each class of schools? There are two kinds of schools, we find, in Mississippi and other States—two classes of schools, colored schools and white schools. Why, then, not distribute this money according to the illiteracy of the two races of school age in the States where these two races exist to such an extent? It does seem to me that would be fair, and in that way you would do what the intention of this bill was when it first started out some years ago, because we started it on the proposition that we were going to try

to educate the colored people. I think we have moved some distance away from that. I have no amendment prepared and have none to suggest. I merely ask a question.

Mr. BLAIR. Will the Senator allow me a moment on that very point?

Mr. ALLISON. Mr. President—

Mr. BLAIR. Let me answer the Senator from Illinois. The idea of the bill is that the national fund and the State fund shall be combined and the whole distributed without reference to color at all. If, however, the Senator's idea should be adopted and the national fund be distributed upon the basis of illiteracy as between the colored and the white, the State fund would of course be distributed upon the same condition, and it ought to be and would be, and the result would be just exactly the same as if you were to combine the two funds and distribute them according to the school population.

Mr. LOGAN. Oh, no; the Senator is very much mistaken as to the suggestions I made. We are not dealing with the State fund at all; we are dealing with the national fund to be appropriated from the National Treasury; and in fact it seems as though this bill has purposely avoided the hand of the nation having anything to do with this money except to appropriate it. It seems as though that had been studiously avoided in this bill. So it would not refer at all to the State appropriation or to the State school fund, but merely to the national fund that is appropriated by this bill in aid of the State. That fund is certainly a separate fund, and if it goes into the treasury of the State the State officers certainly know the amount received, and it is very easy to make a computation of the amount received and distribute that according to the illiteracy of the children of the different races. There are two classes of schools kept up in the Southern States.

Mr. BLAIR. The Senator is certainly right in saying that the true distinctive theory of the bill has been to make the appropriation to the States, to trust the States, and require certain conditions in expenditure to be complied with, and if they are not complied with then to withhold the subsequent appropriations until they are complied with, or wholly if future Congresses should see fit to exercise their discretion in that way. It has never been understood that this appropriation was to be followed into the State as a separate and distinctive fund. It has never been claimed on this floor in any of the former discussions that it would be right that this money should be appropriated as a separate national fund and expended by the national hand or its expenditure within the States superintended any further than to enforce a compliance with the conditions contained in the act by which the money was originally given. If now it should be proposed to adopt a bill based on an entirely different theory of course we have new grounds to discuss and new conclusions to be drawn. But this bill, as the Senator well says, studiously attempts to avoid anything like an interference by the national hand with the money after it passes to the State, but trust to the honor of the State, and requires of the State an account of all it has done, and if it fails to comply with the conditions which are imposed with the gift then the nation has its remedy.

It has been thought that it was not best that the nation should undertake to interfere with the management of the common schools in the States and that the States should not be taught that they could be relieved of their obligation to take care of the colored child as well as the white child.

Mr. EDMUNDS. May I ask my friend a question?

Mr. BLAIR. Certainly.

Mr. EDMUNDS. He says, and correctly, that this bill does not interfere with the action of the States in any affirmative way; but the bill certainly does say that this money shall be appropriated so as not to distinguish between white children and colored children, does it not?

Mr. BLAIR. Certainly; there shall be no discrimination on account of color.

Mr. EDMUNDS. That being the state of the case, it still authorizes in express terms each State to have separate schools for white children and for colored children, and to have the benefit of this money accordingly, and that shall not be considered a discrimination.

Mr. BLAIR. It does not require them to have such schools.

Mr. EDMUNDS. No, but it authorizes them to do it.

Mr. BLAIR. To have them where they now exist.

Mr. EDMUNDS. That being the state of the case, where is the objection in point of constitution or of fitness to saying that where a State does have a separate system of white and colored schools, according to their respective needs by the numbers of the children of each of these schools, they shall have this aid?

Mr. BLAIR. This bill does say so. It says so in those words in the tenth section, where it requires that all the children in the State, irrespective of color, shall, by the operations of this bill, come to receive an equalization of school advantages or school privileges.

Mr. EDMUNDS. Then, if that is the object—

Mr. BLAIR. Let me answer further, because it is necessary to do so. The Senator seems to be assuming, and others seem to be understanding, that all the children in the State can be reached even by the action of this bill. He seems to be assuming, too, that all the children in the Southern States will be divided into white and colored schools. Now as a rule that is already the case, and both races seem to like it the better, but nevertheless it is not universally the case.



There are many schools in the sparsely settled districts where the people are very poor, where the white child and the colored child study together in the same schools. The Senator will remember that years ago we of the North looked with great reprehension upon the establishment of any distinction in the matter of schools between the two races, and I think it was only when we found that the colored race as a whole preferred schools of their own that we came to acquiesce in the existing order of things; and to-day we should find quite as much difficulty in forcing an amalgamation or combination of the races in the same school from the colored people as we do from the whites; but nevertheless that is a feeling which is gradually passing away and will pass away, and ought to pass away, and as intelligence increases the tendency will be enhanced.

I would not like to see entering into the national legislation any feature that would seem to look to the permanency of the existing condition in regard to separate schools; but the prejudice being for the present time such that it would be impossible to combine them together, the bill provides that for the present the matter of separate schools shall not be considered a discrimination as between the races.

Mr. EDMUNDS. My question was this: If I correctly understand the Senator from New Hampshire, this bill is now intended to prevent, and, as he thinks, does prevent, any discrimination in the application of this fund between white and colored children and white and colored schools; and, inasmuch as a good many Senators feel that it does allow such discrimination, why not make it clear and plain that no such discrimination shall exist, and while we recognize, as the Senator's bill does, the present propriety, or at least not the present impropriety, of the separate education of the two classes, and say in plain terms that where any State has a separate system of white and colored schools according to the respective needs of these two classes, according to the number of their children who need education in their respective school districts and counties, this money shall be distributed? If that is the theory of this bill let us make it plain and say so.

Mr. BLAIR. I think the bill in requiring that every child irrespective of color shall have an equality of school advantages, so far as that may be produced by this act in connection with the school fund applied by the State itself, does say so and says so by a rule which, like the Golden Rule, is the most exacting of any; and if we undertake by express provisions to in any way insure anything more generally applicable than the rule laid down in the bill, I think we shall be likely as we go into particulars to injure the efficiency of the bill.

The time to make particular specific enactments amendatory of this law is when by virtue of a year's operation of it we have found that the law is imperfect. The law is in general, comprehensive terms like the Declaration of Independence, which requires freedom for all men, and when we find that there is in its practical operation any failure to work out its theory, we can then legislate with an intelligence and a directness that may give efficiency.

Mr. EDMUNDS. Mr. President, I was under the impression that the best time to amend a bill was when it was under consideration, and not to pass it imperfectly and take the chances of amending it afterward. Perhaps I am wrong as to the best methods of legislation. If I am right in that, this bill being now under consideration and the Senator from New Hampshire saying that the purpose of the bill is, and as he thinks the language of it is, to exclude every discrimination between the necessities of the white and the colored child, then I wish to know why it is not proper to say so in explicit terms as it can be applied to the various States where they have separate schools for the white and the colored, and therefore to say plainly and fairly on the very theory of the bill as he states it—and I have no doubt that was its theory—so that there can be no dispute about it, that in a State where there are kept up white and colored schools, those two races shall be aided in accordance with the numbers of children of each race; so that if in the State of Vermont there are ninety-nine white schools and only one colored school and there are ninety-nine white children of the school age to one of the colored children of the school age, in that State this fund shall be apportioned according to the respective needs of those two races and their respective schools; and if the case is the reverse in the State of Mississippi or in the State of North Carolina or wherever, and there are three colored children and three colored schools to every one white child and every one white school, give this bounty of the United States, if we may call it a bounty—and I do not mean that in the sense of a mere gift; I think it is a duty—give what we call a bounty for a short word, according to the necessities of the case as it is in that particular State. So if there are three colored children and three colored schools to one white in Mississippi, let the three colored schools get three-fourths of the whole number and the one white school get the one-fourth of the whole number of dollars that we give to that State for this purpose.

Is not that fair? The Senator says that is the theory of the bill. If it be the theory of the bill, as it ought to be, then let us say so now when the bill is under consideration, and not wait for the ultimate bias of ulterior events, as some politician said, to bring about a rectification of wrong legislation which we enact now.

Mr. HOAR. Mr. President, I am not so much impressed by the difficulty of my honorable friend from Connecticut or by the difficulty of my honorable friend from Vermont as I am almost always with the sug-

gestions which those very able and clear-minded Senators see fit to make.

Now, as I understand, the theory of this bill is a very simple one. We find in certain States in this Union a degree of ignorance in grown people and in children alike, likely to continue under existing provisions for education for a long and indefinite period, which in the judgment of those of us who favor any legislation on this subject constitutes a menace to the safety of the life of the nation itself. We suppose that in a nation largely founded by Puritans, wholly founded by races of men accustomed to self-government under institutions founded upon moral rules and moral distinctions, the moral relations are as important as the physical; and if we have the right to draw the sword and slay to preserve the life of this nation menaced in war, we have the right to open the purse and give to preserve the life of the nation menaced by a destruction of the intelligence necessary for republican self-government in time of peace. And that is the constitutional proposition upon which, to my mind, this bill must rest.

Mr. PLATT. The Senator sometimes interrupts me. Will he allow me to interrupt him? I quite agree with him that when illiteracy reaches the point where it becomes a menace to the existence, I might say the fair prosperity of the nation, there is constitutional ground for national interference; but my trouble is this, and I am seeking information as to how I ought to vote—

Mr. HOAR. I would rather finish part of my speech and come to that hereafter, than be compelled to depart from what I was saying to take that up now.

Mr. PLATT. I wanted to ask the Senator this question: Does he think in Massachusetts or Connecticut or New Hampshire there is any such illiteracy as menaces the existence or the prosperity of the Government; and, if not, how does he justify the appropriation of money for education in those States?

Mr. HOAR. If my honorable friend agrees with me in the fundamental proposition upon which he and I can rest legislation of this kind one important step toward the result has been accomplished and taken.

Now he asks me why it is that, finding this nation menaced by the fact that recent events and recent constitutional and legal changes have brought into the government, the administration of the State, a degree of ignorance increasing the proportion which was there before—why, finding that, and proposing to protect the life of the nation in the future against that danger, that destruction, I simply propose to do it by a bill which is general and not particular or individual in its application? The answer to that is, that it is because in all legislation it is desirable to legislate by universals and not by particulars. We legislate in Connecticut and in Massachusetts mortgaging, and it is the bottom mortgage on every dollar of the property of the rich man and poor man alike, house and palace and farm and railroad, to give every child in those States a good common-school education. I might as well get up and ask, "Is there any danger that the child of General HAWLEY or Senator PLATT will want an education if the State does not provide it? Are not these men well enough off?" The answer is that your system is better, that it secures national care, national control, national supervision, national jealousy, by having all the citizens of the United States or of the State which is acting in the particular case, on some general theory receive its benefits.

The scheme of this bill is this: You find a necessity which is represented by 100 and you find means of meeting that necessity which would secure education for the State, which is only represented by 7. Now we come in and say, let the nation eke out the school systems of the country, and let us have a scheme which applies to the whole country alike. If the illiteracy is but one-thousandth of the whole, the State gets the proportion of one to a thousand; if the illiteracy is one-tenth of the whole the State gets relief in proportion as ten is to one hundred; and if the illiteracy is 50 per cent. of the whole, the State gets relief in that proportion. But the rule we go upon in all legislation is to establish some system of universal national application.

Mr. LOGAN. Will the Senator allow me to ask a question? He did not do me the honor to refer to me in speaking of this suggestion that was made by myself; but I would like to ask him a question. He says now that this bill is for the purpose of bringing the people who were placed in this condition by the Government up to the proper elevation, so far as education is concerned. Now, I desire to ask him if there are any other people, except the colored people brought in, who are in this condition? And, further than that, if this bill goes upon the basis that the illiteracy from ten years up to one hundred shall be counted—and that is the basis of the bill—is not a large proportionate share of this money based upon the older people of that country who are colored people, and the offering of the money because of the fact that these older people are illiterate? If they are the ones upon whose illiteracy the distribution of this money is based, I ask the Senator if the colored people ought not to be the ones who should receive the greatest benefit?

Mr. HOAR. It seems to me, with great respect to the gentlemen who have made this proposition, that it is very much as if a man with a wife and seven children should come to the house of the honorable Senator from Illinois and say, "We have not got provisions enough in our house; I have got enough, about three-fourths of what will keep my family from starving; I wish somebody would help me with the

other quarter;" and the Senator should say, "Well, I will help you with the other quarter; the wife and seven children shall all have enough to eat; but I will particularly specify that the old man shall not eat any of the food that comes from me, because he can take care of himself;" or, "the old woman shall not have it; it shall go to the youngest and smallest children." The answer is that if you eke out the fund which in a particular State is needed to supply the necessity of a general common-school system for rich and poor, it not only will lead to countless embarrassments and discomforts, but it will not in the least any more tend to accomplish the result to specify that the particular child who is in ignorance shall be the one who shall have this particular money. You are piecing out your blanket so that it will cover the whole bed. It is not necessary to say to what particular part of the blanket the patch shall be attached.

Mr. EDMUNDS. May I ask the Senator a question?

Mr. HOAR. I should a little rather state this fully, and then hear what the Senator has to say at the close, for I rose to make an argument of my own, and not to be cross-examined by the most skillful cross-examiners alive.

Mr. EDMUNDS. The Senator is quite right in preferring to speak without interruption.

Mr. HOAR. You carry this thing all through. Suppose this aid goes to the State of New York, for example. We will suppose that the State of New York needs an extra \$500,000 to make her school system universal. That is the condition of the bill, that every State shall have established a system for the education of all its children without distinction. Now you go the State of New York, and with an additional grant of \$500,000 you have got all that New York needs for a reasonable common-school education, and we give her that grant from the Treasury in the case I suppose. Would it be of any sort of use to say: "Why in the city of New York there is an Irish ward, or a German ward, or a Scandinavian ward, where there is not a child who knows how to read and write; let us specify that when New York gets the \$500,000 she shall put all of it or so much of it as is their due proportion to their illiteracy there?" The answer is, what you are enabling New York to do is to extend her common-school system over the persons whom it does not reach and cover.

Now, in further answer to the suggestion of the honorable Senator from Illinois, it is true that this bill, as was shown the other day, takes as the basis of distribution, considering the fact that the Northern States are to receive so little, persons who are illiterates over ten years of age without any upward limit, instead of confining it to persons between ten years of age and twenty-one; and the effect of that, as was shown by the statistics, is that the South gets a very much less proportion of this grant than it would get if you confined it to children between ten and twenty-one. By the present bill Mississippi gets four times as much as Massachusetts. If you made an amendment confining it to children between ten and twenty-one, Mississippi would get fifteen times as much as Massachusetts, and so on.

The Senator from Vermont inquires why, if you are to give this fund for the purpose of curing an illiteracy, which is largely caused by the addition to our citizenship of the colored population of the South, you do not require a State when it gets the fund to make the distribution between the white and colored schools upon the same principle, especially as the bill recognizes the existence, or does not propose to terminate the existence, by any national authority, or by any condition of this bill of the separation between the two races in the schools. Now, it seems to me that there are several good answers to the question put by the honorable Senator from Vermont. In the first place, I agree with the Senator from New Hampshire that it will be a very bad thing indeed whenever we recognize by legislation a race distinction in this country in national legislation.

Mr. LOGAN. You do it in this bill.

Mr. HOAR. I do not think so. The two races have determined, most unwisely as I think, but it is something which probably no legislation can change within any time which this bill covers, that they prefer to educate their children separately. I think it is a very bad determination, one of the most unfortunate things that have happened in the history of this country; but it is absolutely beyond our control, and therefore—

Mr. GEORGE. Will the Senator allow me to make a statement right there for his benefit?

The PRESIDENT *pro tempore*. Does the Senator from Massachusetts yield?

Mr. GEORGE. I mean to say this, that from the year 1869 to 1876, when it was supposed the colored people and the Republican party controlled Mississippi, when the common-school system was inaugurated, the system of separate schools was inaugurated at the same time and kept up.

Mr. HOAR. I certainly never refused to yield to any Senator when I was addressing the Chair, but it does seem to me that the person who has the floor is entitled to select the time while he occupies it when that interruption shall take place.

Mr. GEORGE. I thought I had your consent. I beg pardon.

Mr. HOAR. A person who is undertaking to state briefly a connected argument in five or ten minutes, which was all I was doing, is fairly entitled to finish his own statement before any courtesy compels him to

drop that and reply to the questions of half a dozen other Senators: What do you think of this? What do you think of that, and what do you say to that? I shall be happy to yield to the honorable Senator from Vermont, or the honorable Senators from Mississippi, or Illinois, or any other Senator if I can, but I should like to complete my own statement first if I may. The questions absolutely drive the argument out of my head.

I was saying that we find this unfortunate condition of things existing, and practically it will be impossible to do any considerable good to those communities in this way unless the bill goes so far as to say that the two races having established this system down there we will not regard their action in that particular as an objection to their receiving the benefits of the bill. Then the Senator from Vermont says, but why not go further and establish by national authority in the distribution of this fund in the State itself a difference in right and in lawful privilege based upon race; because the proposition of the Senator from Vermont in the first place takes these people, separating them by reason of race, and then declares that the races shall be compared with one another in the matter of illiteracy and the distribution made in that way. If the suggestion were to take each school district without regard to whether the children are white or black, each school, and give to that particular school the benefit of this fund in proportion to the ignorance of the children it contained we should avoid this particular objection. But I do not suppose any Senator would seriously press that proposition on the attention of the Senate, because the result would be that the whole national aid for education must only go practically to children who were beginners.

The bill goes upon the ground that if you have a school system which is giving a common-school education to all the children of a State, it shall, in proportion to the particular need of the State, eke out the State provision for that purpose; and that is all.

Mr. ALLISON. In order that this question may be thoroughly presented to the Senate, I desire to offer an amendment which I have had on my table some days respecting it, to come in at the end of section 2. I think I can convince the Senator from Massachusetts and other Senators that this is not a proposition to divide the money upon race, but a proposition to divide it upon the principle of the bill, which is illiteracy; and that if this money is to be given upon the basis of illiteracy, that basis should run through the bill. If we have colored children who are more illiterate than white children in a State, the principle of the bill as well as the principle of exact justice requires that the donation given by the Government shall be to that particular portion of the people who are illiterate, whether they be white or black. I merely offer the amendment now that it may be printed.

The PRESIDENT *pro tempore*. The proposed amendment will be printed. It is not now in order.

Mr. ALLISON. I know that it is not in order at this time.

Mr. EDMUNDS. Let the amendment be read for information.

The PRESIDENT *pro tempore*. The amendment will be read for information.

The Chief Clerk read as follows:

And in each State in which there shall be separate schools for white and colored children, the money paid in such State shall be apportioned and paid out for the support of such white and colored schools in the proportion that the illiteracy of the white and colored persons aforesaid bears to each other as shown by such census.

Mr. EDMUNDS. Mr. President, the Senator from Massachusetts in opposing the idea of equality in this distribution between the colored and white children in States where the State law makes a discrimination as it regards the methods and places of education says that if you have a family, which is his case, of a father and mother and seven children, it is no part of our mission in giving some money to help them keep from starving to inquire into the respective conditions of the children of that family, and we must assume that the father and mother will treat all the children alike. That is very fair and very right; but when the father and mother come to us for this donation and say to us, "We have a law in our family which says that out of our seven children four of them, who are colored (and three of them are white), shall be fed in separate rooms and shall sleep in separate beds and live in separate houses," then I think it would be fair for the giver of all good and perfect gifts out of the Treasury to say, "If you have got a law of that kind in your family, as we want to help all your children, we will provide that this bread and butter and beef, &c., to the extent of 25 per cent. that is necessary, shall be divided according to your law of separation of your family; and that the four colored children of yours, who live in a separate house and sleep in a separate bed and are taught in a separate school, shall have the four-sevenths of this money that we give, and your white children shall have the three-sevenths."

That is the argument, and that is my answer to it; and that is exactly this case. The Congress of the United States does not propose, at least so far as I am concerned, to create any distinctions between races, but in making this donation of money it proposes to recognize distinctions and separations that the respective States have chosen in their own wisdom to make. I make no quarrel with that distinction. I am inclined to believe, differing from the Senator from Massachusetts, that under existing conditions of affairs it is better for the children of both races and for the ultimate good of those respective States that



they should at present be educated separately. I think it is better for them all, as it strikes me.

Therefore the proposition of the Senator from Iowa, instead of creating distinctions, assumes and takes up the very distinction that the laws of these States make themselves and creates no new one. It says simply that wherever that rule of separation and inclusion and exclusion exists, there and then, and so far and no farther, shall the application of this money be made to the two respective classes in proportion to the numbers of those classes and the numbers of those schools. Is that interfering with the rights of the States? Is that making race distinctions, or color distinctions, or any other distinctions? It takes the case as it finds it. It applies this gift in exactly the way the State has chosen to apply its own gifts and donations and contributions and taxations of public money for the support of these schools. Is not that right? That is all there is to it.

Now, the Senator from Massachusetts has seemed to think, differing from his friend from New Hampshire, that this bill does not do that thing. But the bill does say in section 3 that this provision in regard to education, without any discrimination of race or color, shall not be construed to interfere with the separation of the races that the States may make in their schools, as follows:

*Provided, That separate schools for white and colored children shall not be considered a violation of this condition.*

The condition being that there shall be education out of this fund without distinction of race or color.

Then the bill provides that it recognizes, and admits, and submits to, in the giving of this gift, the right of each State to do what many of the States have done, to institute separate schools for their white and their colored children. When such a State makes such a distinction by its laws, and it turns out that in that State there are three colored children needing education to one white, it is not right that this gift, if it is to be devoted to the purpose we all say it is, of helping them all alike, should be applied in the same proportion, in accordance with the State law which makes that distinction, and therefore place this bread of life, as it is, of political and moral and social life, and I might almost say of spiritual life, on the plates and tables of the people who need it according to the State separations and institutions that each State has made for itself. That is the proposition.

Take the State of Vermont for illustration, where to be sure there is no such thing as separate education between the white and colored children. There are very few colored people there, but they all go to the schools with their little white friends, there being no objection anywhere among children that ever I have seen to playing marbles or playing ball or anything in the streets between white and colored; and therefore in our State there is no objection to their receiving the same bounties and being taught in the same way. I am not criticising other States where there are greater numbers of these people, if that were to make any difference; I am saying nothing about that. The proposition is not to allow the State of Vermont to take this fund upon the theory of general illiteracy and then authorize her to give one-half of it to one race and one-half of it to the other, when of one race there are nine to ten that need it to one in the other.

If the State of Vermont chooses to say that her white and colored children shall be educated separately, and when the statistics show that in the State of Vermont there are four colored children to one white that are illiterate, or four colored persons on the basis of this bill, then apply the money according to that need, in conformity with the institution of the State itself, in order that all may fare alike out of this gift, and not leave it to the discretion and the temptation of any State to unjustly and unduly distribute this money as the political or other social bias may be in one State or another, according as one race or the other may have the preponderance of political power. That is my proposition.

Mr. HOAR. The Senator from Vermont in replying to the illustration which I put of the family seems to me not to understand as I do the bill itself. Now, the proposition is this: This bill comes in and says in the first instance, in order to get this money you must have a school system provided by your laws for all the children and making an equal provision for all, which is the common-school system of which we speak. In other words, the only separation is not a separation in school privileges, for that cuts off the right of the State to the bounty of the bill altogether, but only a separation in the place where these school privileges are held. The family with the three white children and the four colored children dining at the separate table or living in the separate room is first required to be able, with the addition of this fund which we supply, amply to provide food equal alike for all. That is in the bill; that is secured. That, therefore, answers the last suggestion of my honorable friend from Vermont, where he says that if they have nine colored children in Vermont in a certain town and only one white, the State of Vermont shall not give the one more than it gives to the other nine. That is all provided for and settled and fixed.

The criticism that is made on the bill is that when you find out the extent of the national bounty by finding out the illiteracy or the needs of each State, when you have got the unit of the school system, to wit, the State, you do not go further and say that the particular sum of money which comes from the national Treasury shall be traced into white or colored schools in proportion to the amount of the inability to read and write of the children in each.

In the first place, there is no necessity for that; the whole thing is secured without it. In the next place, it is very objectionable, because there you have implanted for the first and only time in national legislation a provision that this money is to go in a certain way to people, to be sure in proportion to their illiteracy but because of a distinction of race. It is introducing this objectionable feature, and without the slightest reason or the slightest advantage to be gained from it.

Then there is another reason which seems to me absolutely fatal to the proposition of the honorable Senator from Vermont. Suppose you have got in a common-school system two sets of schools side by side. In one they are teaching the A B C and the writing of ordinary English words; in the other they are a little further advanced and are studying arithmetic, geography, and history, which come I think within the definition of common-school education in this bill. The State, having been compelled, in the first place, to give equal advantages to all those children, so that they have got a school where the whole thing is taught, and taught to everybody as he comes, is required by the honorable Senator from Vermont to go further and to say that whereas in your school system one set of children has got a little beyond the census test of being able to write their names, you have got a graded school in the city of Richmond, in the city of Boston, or anywhere else, and you must take all the money which you are putting into the general school fund, and under which the State was maintaining both those schools, and give it to the school simply where the children can not write their names. Now, what is the use of that proposition?

Mr. EDMUNDS (in his seat). That is not my proposition at all.

Mr. HOAR. Will the Senator tell me why it is not his proposition?

Mr. EDMUNDS. I did not want to interrupt the Senator, although I did make that remark privately to him. My proposition is exactly the proposition that the Senator from Iowa has stated in his amendment, that this distribution between white and colored schools does not depend upon the state of education in those particular schools, but it depends upon precisely what the bill says as to the distribution to the States, and that is according to the illiteracy of the white and colored races in the State, on the scheme of the bill, of ten years of age and upward; and therefore the state of education in a graded school, or in a common school, or in an intermediate school does not touch the question at all.

Mr. HOAR. Then you have got two towns side by side in each of which there are a hundred children at school, and in one of them the hundred children who are at school have not learned to write or have not learned to read before they left home. They require the simplest, cheapest, and easiest kind of education. In the next town, the children being of wealthier parents, have got a step forward, and they go into the public schools for the first time able to read the English language and to write their names. Now, the Senator from Vermont says that the State which is required to furnish the schooling needed for both, and which is eking out in doing it its own funds, all except this provision, shall take this particular sum and pour it into the treasury of one town to the exclusion of the treasury of the other.

Mr. EDMUNDS. I have not said anything of the kind.

Mr. HOAR. If that is done, the result will follow that the States ought to be permitted to make a distinction. If you are educating every child in Mississippi, and the State of Mississippi has a school fund that is supplied by Congress, or from public lands or anywhere else, four-fifths of which goes to educate black children in proportion to their illiteracy, and only one-fifth goes to educate white, although the white children are as numerous as the black—take the State of Louisiana, where the two races are about equal—does it not follow, and ought it not to follow, that if the black children are provided for chiefly or amply from the national Treasury the State should be permitted to put its white children on an equality by making a larger provision for its own; and thus you have built up, necessarily built up, inequalities in the school system, inequalities of education, inequalities of administration, inequalities of application between the two races.

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 56 minutes p. m.) the Senate adjourned.

## HOUSE OF REPRESENTATIVES.

THURSDAY, February 25, 1886.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

ESTIMATES FOR SCHOOLS, DISTRICT OF COLUMBIA.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting additional estimates from the commissioners of the District of Columbia for the service of the public schools in the District; which was referred to the Committee on Appropriations, and ordered to be printed.

ENTRANCE TO GALVESTON HARBOR.

The SPEAKER also laid before the House a letter from the Secre-

tary of War, transmitting, with accompanying maps, a report from the Chief of Engineers upon the improvement of the entrance to Galveston Harbor; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

#### SENATE BILLS REFERRED.

The SPEAKER also laid before the House Senate bills of the following titles; which were severally read a first and second time, and referred as follows:

A bill (S. 1634) authorizing the President of the United States to grant permission to one or more officers of the Army to accept temporary service under the Government of Corea—to the Committee on Military Affairs.

A bill (S. 23) giving a military record to Thomas Miller—to the Committee on Military Affairs.

A bill (S. 91) to amend an act entitled "An act to grant a right of way for a railroad and telegraph line through lands of the Choctaw and Chickasaw Nations of Indians to the Saint Louis and San Francisco Railway Company, and for other purposes"—to the Committee on Indian Affairs.

A bill (S. 333) for the relief of settlers and purchasers of lands on the public domain in the States of Nebraska and Kansas—to the Committee on the Public Lands.

A bill (S. 605) for the relief of the estate of J. J. Pulliam, deceased—to the Committee on War Claims.

A bill (S. 718) for the relief of Francis Gilbeau—to the Committee on War Claims.

A bill (S. 1631) relative to a certain accepted draft in the Department of State—to the Committee on Claims.

A bill (S. 1564) for the erection of a monument to the late Ulysses S. Grant—to the Committee on the Library.

A bill (S. 1020) authorizing the District of Columbia to convey the alley, 15 feet wide, running east and west between lots 6 and 7 in square 635, comprising an area of 3,480 square feet of land, to the owner of said lots—to the Committee on the District of Columbia.

#### NATIONAL BANKING ASSOCIATIONS.

The SPEAKER also laid before the House a bill (H. R. 327) to enable national banking associations to increase their capital stock and to change their names or location, passed by the Senate with an amendment; which was referred to the Committee on Banking and Currency.

#### EULOGIES ON THE LATE VICE-PRESIDENT.

Mr. REID, of North Carolina. Mr. Speaker, I am instructed by the Committee on Printing to present a privileged report.

The report was read, as follows:

The Committee on Printing, to which was referred joint resolution (H. Res. 124) to print 31,000 copies of the eulogies on Thomas A. Hendricks, late Vice-President of the United States, have considered the same and recommend its adoption. The estimated cost will be as follows:

1,500 copies unbound .....	\$373 85
31,000 copies bound in cloth.....	11,646 70
	12,020 55

The joint resolution was read, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled.* That there be printed of the eulogies delivered in Congress on Thomas A. Hendricks, late Vice-President of the United States, 31,000 copies; of which 10,000 copies shall be for the use of the Senate, 20,000 for the use of the House of Representatives, 500 copies for the use of the Department of State, and 500 copies shall be for the use of Mrs. Eliza E. Hendricks; and the Secretary of the Treasury be, and he is hereby, directed to have printed a portrait of the said Thomas A. Hendricks to accompany said eulogies, and for the purpose of engraving and printing said portrait the sum of \$500, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. REID, of North Carolina. Mr. Speaker, I move the passage of the joint resolution.

The joint resolution (H. Res. 124) to print 31,000 copies of the eulogies on Thomas A. Hendricks, late Vice-President of the United States, was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. REID, of North Carolina, moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### SILVER COINAGE.

Mr. HEWITT. I ask unanimous consent to present at this time, and have printed in the RECORD, a memorial of savings-banks of the State of New York, 122 in number, representing 1,165,000 depositors, in reference to the suspension of the coinage of silver. The memorial is not long. I do not ask to have the names printed.

There being no objection, the following memorial was ordered to be printed in the RECORD, and was referred to the Committee on Coinage, Weights, and Measures:

*To the honorable the Senate and House of Representatives of the United States in Congress assembled:*

The undersigned, representatives of the savings-banks of the State of New York, respectfully submit that they hold in trust for over 1,165,000 persons their savings, averaging about \$375 for each depositor, aggregating the sum of over \$437,000,000, and that all the funds and property of the said savings banks and all their earnings and accumulations belong exclusively to their depositors,

chiefly industrious persons of small means, and that your petitioners have no interest therein except as custodians for said depositors. As such representatives we respectfully petition the Congress of the United States to repeal the law which directs the coinage of the 412½-grain silver dollars.

We heartily agree with the opinions expressed upon this subject by the President of the United States in his recent message, and we pray that it may please Congress to enact that the said coinage be discontinued, for the reason, among many others of weight, that its continuance, unregulated by the demands of trade or by the ability of the circulation to absorb it, tends to sever our currency from the gold standard, to compromise the national credit, and to create distrust in the minds of the people.

To make our securities, principal and interest, payable in silver dollars, and thereby reduce the exchange value of the savings of the people by 20 per cent., would be a loss of purchasing power of the funds in the savings-banks of New York State alone equivalent to a shrinkage in value of nearly \$100,000,000; and that, as the value of the currency would be alike impaired, whether in savings banks or elsewhere, this vast sum would represent only a small portion of that loss to be apprehended from the continued compulsory coinage of the standard silver dollars, the greater portion of which loss must be borne by the industrial classes whose interest we serve.

And your petitioners will ever pray, &c.

#### ORDER OF BUSINESS.

The SPEAKER. The Chair will now proceed to call the standing and select committees for reports.

#### H. LEHMAN.

Mr. HEWITT, from the Committee on Ways and Means, reported a resolution in reference to the case of H. Lehman; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### PERMANENT AND INDEFINITE APPROPRIATIONS.

Mr. RANDALL. By direction of the Committee on Appropriations I desire to report for the purpose of printing and recommitment a letter of the Secretary of the Treasury, with accompanying documents, in relation to the bill (H. R. 3271) to repeal certain laws relating to permanent and indefinite appropriations. The object of the committee in asking that this communication be printed and recommitment is that the House may be in full possession of the information which is before the committee.

Mr. BLAND. Would it be in order to ask the gentleman from Pennsylvania whether this bill contains any provision for the repeal of any portion of the existing law in regard to the silver question?

Mr. RANDALL. It has no relation to that subject.

The SPEAKER. If there be no objection the communication will be ordered to be printed and recommitment.

Mr. RANDALL. Permit me to say that this document embraces the opinions of the heads of the different Departments in relation to the propriety of repealing certain appropriations which are known as permanent and indefinite appropriations. The Mint appropriation would be among these. I did not at first understand the gentleman's question. This document is now presented merely for the information of the House; we are not asking any action upon the proposition.

Mr. BLAND. I thought it best that attention should be called to the fact.

Mr. RANDALL. There is nothing coming from our committee except what would be fully stated in the light of day.

The SPEAKER. In the absence of objection the communication will be recommitment to the Committee on Appropriations, and ordered to be printed.

#### JAMES HOOPER.

Mr. HAMMOND, from the Committee on the Judiciary, reported back adversely the bill (H. R. 3465) for the relief of James Hooper; which was laid on the table, and the accompanying report ordered to be printed.

#### UNITED STATES COURTS IN FLORIDA.

Mr. OATES, from the Committee on the Judiciary, reported back favorably the bill (H. R. 5221) to change the time of holding United States circuit and district courts in the southern district of the State of Florida; which was referred to the House Calendar, and the accompanying report ordered to be printed.

#### CITIZENS' NATIONAL BANK, OF LOUISVILLE, KY.

Mr. MILLER, from the Committee on Banking and Currency, reported back with amendments the bill (S. 952) to authorize the increase of the capital stock of the Citizens' National Bank of Louisville, Ky.; which was referred to the House Calendar, and the accompanying report ordered to be printed.

#### ATLANTIC AND PACIFIC SHIP-RAILWAY.

Mr. REAGAN, from the Committee on Commerce, to which was referred the bill (H. R. 2414) to incorporate the Atlantic and Pacific Ship Railway Company, and for other purposes, reported a bill (H. R. 5885) to incorporate the Atlantic and Pacific ship-railway; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. CRISP. On behalf of the minority of the Committee on Commerce I ask leave to file their views upon the bill just reported, and, inasmuch as we have not had an opportunity to see the report of the majority, I ask that the minority may be allowed one week within which to file their views.



The SPEAKER. If there be no objection leave will be granted to present within one week the views of the minority of the Committee on Commerce upon this bill, to be printed with the report of the majority.

There being no objection it was ordered accordingly.

#### DISEASES OF CATTLE.

Mr. SWINBURNE, from the Committee on Agriculture, reported back the memorial of O. M. Wozencraft, M. D., on the cause and prevention of cattle-fever in the Western States, and Texas-fever or cattle-plague in the Southern States; which, with the accompanying report, was ordered to be printed and recommitted.

#### MILITARY ACADEMY APPROPRIATION BILL.

Mr. WHEELER, from the Committee on Military Affairs, reported a bill (H. R. 5886) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1887; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. WHEELER. I desire to state that I shall call up this bill on Tuesday next.

#### POST-OFFICE APPROPRIATION BILL.

Mr. BLOUNT, from the Committee on the Post-Office and Post-Roads, reported a bill (H. R. 5887) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1887; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### FORFEITURE OF RAILROAD LAND GRANT.

Mr. PAYSON, from the Committee on the Public Lands, reported back favorably the bill (H. R. 391) to declare forfeited certain lands granted to the State of Michigan to aid in the construction of a railroad from Ontonagon to the Wisconsin State line; which was referred to the House Calendar, and the accompanying report ordered to be printed.

#### RED LAKE INDIAN RESERVATION, MINNESOTA.

Mr. PEEL. I am directed by the Committee on Indian Affairs to ask that the bill (H. R. 1269) in relation to the Red Lake Indian reservation in the State of Minnesota be taken from the House Calendar and recommitted to the Committee on Indian Affairs, as they desire to consider in connection with the bill some amendments suggested by the Indian Department.

The SPEAKER. If there be no objection the bill indicated by the gentleman will be taken from the House Calendar and recommitted.

There was no objection, and it was ordered accordingly.

#### INSURANCE COMPANIES, DAKOTA.

Mr. BOYLE, from the Committee on the Territories, reported, as a substitute for H. R. 2831, a bill (H. R. 5888) to legalize and validate the general laws of the Territory of Dakota for the incorporation of insurance companies, and to authorize and empower the Legislative Assembly of said Territory to pass such general laws; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

By unanimous consent House bill 2831 was laid on the table.

#### MARYLAND AND DELAWARE FREE SHIP-CANAL.

Mr. COLE, from the Committee on Railways and Canals, reported back favorably the bill (H. R. 1041) to provide for the construction of the Maryland and Delaware free ship-canal as a means of military and naval defense, and for commercial purposes; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### THE LIGHT-HOUSE TENDER LILLY.

Mr. WARNER, of Missouri, from the Committee on Claims, reported, as a substitute for H. R. 1775, a bill (H. R. 5889) for the relief of the officers and crew of the light-house tender Lilly and the inspector of the fourteenth United States light-house district; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

By unanimous consent House bill 1775 was laid on the table.

#### CHANGE OF REFERENCE.

On motion of Mr. SPRINGER, the Committee on Claims was discharged from the further consideration of a letter from the Secretary of War, transmitting a report from the Quartermaster-General of the Army upon the claim of Catherine C. B. Merrill, executrix of C. Merrill, deceased; and the same was referred to the Committee on War Claims.

On motion of Mr. SPRINGER, the Committee on Claims was also discharged from the further consideration of the bill (H. R. 2088) for the relief of Andrew Shoenfelt, and the same was referred to the Committee on War Claims.

#### GRAFTON MUNROE.

Mr. SHAW, from the Committee on Claims, reported, as a substitute for H. R. 4401, a bill (H. R. 5890) for the relief of Grafton Munroe, late

postmaster at Annapolis, Md.; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

By unanimous consent House bill 4401 was laid on the table.

#### ADVERSE REPORT.

Mr. LYMAN, from the Committee on War Claims, reported back adversely the bill (H. R. 2631) for the relief of John M. Engle; which was laid on the table, and the accompanying report ordered to be printed.

#### JOHN M. ROBESON, DECEASED.

Mr. GEDDES, from the Committee on War Claims, reported back favorably the bill (S. 209) for the relief of the legal representatives of John M. Robeson, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

#### ESTATE OF WILLIAM FREDERICK SHLAGEL.

Mr. DORSEY, from the Committee on Private Land Claims, reported, as a substitute for H. R. 3395, a bill (H. R. 5891) to authorize a patent for the south half of the southeast quarter of section 34, in township 22, of range 15 east of the sixth principal meridian, to Elizur B. Hall, as administrator of the estate of William Frederick Shlagel; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

By unanimous consent House bill 3395 was laid on the table.

#### KANSAS CITY, FORT SCOTT AND GULF RAILROAD COMPANY.

Mr. ATKINSON, from the Committee on Railways and Canals, reported back favorably joint resolution (H. Res. 26) for the relief of Kansas City, Fort Scott and Gulf Railroad Company; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

#### NATURALIZATION LAWS.

Mr. TUCKER, from the Committee on the Judiciary, reported, as a substitute for H. R. 2905, a bill (H. R. 5892) amending section 1874 of the Revised Statutes and confirming the orders and proceedings of certain Territorial courts in cases arising under the naturalization laws of the United States; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

By unanimous consent House bill 2905 was laid on the table.

#### PERSONAL EXPLANATION.

Mr. COWLES. I rise, Mr. Speaker, for the purpose of making a parliamentary inquiry. Yesterday, while the House had under consideration the bill (H. R. 4833) relating to the taxation of fractional parts of a gallon of distilled spirits and when the bill was on its passage, I demanded the yeas and nays. The proceedings as reported in the RECORD this morning show that fact. Usually I speak so as to be heard in this Hall, and it is evident I spoke sufficiently loud yesterday for the Official Reporter to hear me distinctly. Members in different parts of the House also heard my demand for the yeas and nays. Now, I wish to know whether there is any way in which my colleagues and myself can place ourselves on record on the passage of that measure?

I make no reflection, of course, upon the honorable gentleman who occupied the chair on yesterday in your stead, my distinguished friend from Illinois [Mr. SPRINGER]. He did not hear me make the demand for the yeas and nays. I can only speak; I can not make him hear.

The SPEAKER. The Chair does not know of any method by which the gentleman from North Carolina can place upon record the fact that he was opposed to this bill except by the mere statement which the gentleman has now made.

Mr. STORM. I recollect distinctly standing quite near the gentleman from North Carolina and heard his colleague call for a division, and immediately afterward the gentleman himself demanded the yeas and nays. I was near, and remember it distinctly.

Mr. SPRINGER. I desire to state, Mr. Speaker, that when a division was called for on the passage of that bill nearly every member in the House, as it appeared, rose to his feet, and I was proceeding to count and had gotten as far in the count as the middle aisle, when there was a general cry all over the House, "no further count demanded." I thereupon stopped counting and asked the question, "Is further count insisted upon?" and waited for some little time for a response. There being no response, I thereupon announced that no further count being insisted upon, the bill is passed. It seems that during this announcement the gentleman from North Carolina [Mr. COWLES] called for the yeas and nays. I did not hear the demand, or it certainly should have been recognized, because I am especially careful when occupying the chair to allow gentlemen to have every latitude in the way of division, tellers, or by the yeas and nays. I regret very much the fact that I did not hear the demand, and only the more regret it because gentlemen desired to make a record on this bill.

Mr. REID, of North Carolina. I will state, Mr. Speaker, that I called for a division on the passage of the bill, and my colleague [Mr. COWLES] demanded the yeas and nays, which demand was not heard.

The question was taken on a division on the demand made, and while the count was progressing some gentleman cried out, "no further count demanded." Then my colleague called for the yeas and nays, as the RECORD shows. He desired the yeas and nays upon the bill in order to go upon the record in opposition to it.

Mr. BRUMM. I would like to add that on this side of the House the demand was heard by a number of gentlemen right around me—the demand for the yeas and nays—immediately following the call for a division.

The SPEAKER. There seems to be no controversy about the fact that the demand was made.

Mr. BRUMM. I thought it well that it should be understood the demand was heard on this side of the House.

#### ADVERSE REPORT.

Mr. MATSON, from the Committee on Invalid Pensions, reported back with an adverse recommendation the bill (H. R. 4387) for the relief of Mrs. Josephine D. Hellyer; which was ordered to be laid on the table, and the accompanying report printed.

#### CHANGE OF REFERENCE.

On motion of Mr. MATSON, the Committee on Invalid Pensions was discharged from the further consideration of the bill (H. R. 3910) for the relief of Mrs. Elizabeth Ward, and the same was referred to the Committee on Pensions.

#### ORDER OF BUSINESS.

Mr. MURPHY. I demand the regular order.

The SPEAKER. The regular order is the call of committees for the consideration of bills. The hour begins at five minutes before 1 o'clock. The call rests with the Committee on Railways and Canals.

Mr. TOWNSHEND. Mr. Speaker, I desire to give notice that after this hour I propose to call up the pension appropriation bill for consideration.

Mr. MURPHY. I move that the House resolve itself into Committee of the Whole on the state of the Union.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. SPRINGER in the chair.

#### ILLINOIS AND MISSISSIPPI RIVER CANAL.

The CHAIRMAN. The House is now in Committee of the Whole on the state of the Union for the further consideration of the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 5869) to provide for the acceptance by the United States of the proposed grant of the Illinois and Michigan Canal, and all its appurtenances, from the State of Illinois, and for the construction of the Illinois and Mississippi River Canal.

The CHAIRMAN. The gentleman from Iowa [Mr. MURPHY] is entitled to the floor for five minutes remaining of the hour begun on yesterday. [See page —.]

Mr. MURPHY. Mr. Chairman, I have thought it best to read as a part of my remarks the report of the committee, feeling confident that it will perhaps accomplish more good than any remarks I could make in the time occupied by the reading. The report is as follows:

The Committee on Railways and Canals, to whom was referred the bill (H. R. 3022) to provide for the acceptance by the United States of the proposed grant of the Illinois and Michigan Canal, and all its appurtenances, and for the construction of the Illinois and Mississippi River Canal, beg leave to submit the following report:

The Illinois and Michigan Canal extends from Chicago and the waters of Lake Michigan southwesterly to the city of La Salle, a distance of 96 miles, and there connects with the Illinois River Improvement. This canal was built by the State of Illinois, aided by grant of lands from the United States, and has been in successful operation since its completion in 1847. It is 60 feet wide at water-line, with a water depth of 6 feet. The total cost of the work was \$6,557,681.50. It has been the practice of the State to operate the canal on the policy of low tolls, and yet its net receipts over operating expenses amounts to \$2,993,691.74.

By an act of the Legislature of Illinois, approved April 28, 1882, "the Illinois and Michigan Canal, its right of way and all its appurtenances, and all rights, titles, and interest which the State has in any real estate ceded to the State by the United States for canal purposes," was ceded to the United States upon the express condition that the grant should be accepted within five years, and that thereafter the said canal should be maintained as a national waterway for commercial purposes, to be used by all persons without discrimination, under such rules and regulations as Congress may prescribe. This act was ratified by a large majority of the voters of the State, at the election of November 7, 1882.

The proposed canal from Hennepin, on the Illinois River, to the Mississippi, is designated as the Illinois and Mississippi River Canal, and is known as the "Hennepin Canal." It has been surveyed by authority of the Forty-seventh Congress, under the direction of the Secretary of War, and the United States engineers report "a perfectly feasible route" for a canal 80 feet wide at the water-line, with 7 feet of water. When completed direct water communication will be secured between the Great Lakes and the water ways of the East to the Mississippi River on the west and the Gulf of Mexico on the south. The length of the line from Hennepin to the Mississippi at the mouth of Rock River is 74.5 miles. A feeder 37.1 miles in length is to be built extending to Dixon, on Rock River, and called the Rock Island route. Major Benyaud, in his report, says of the dimensions of canal and locks:

"It is proposed to make the canal and feeder 80 feet wide on the water surface, and 7 feet deep, with slopes of 1 on 1½. The locks for the main canal are 170 feet long and 30 feet wide. These latter dimensions were adopted after considering the question of low-water navigation on the Upper Mississippi, as affecting barge transportation. The hull measurement of the larger size barges adapted to the passage of the locks is, according to the custom-house authorities, about 300 tons, though with deeper water afforded by higher stages of the river, and also by the proposed dimensions of the canal, such barges can, with the box-top, carry

over 600 tons; but we had to be governed by the minimum draught of the boats at the most unfavorable stage of the main river.

"The same lock dimensions for the Hennepin Canal were also adopted by Colonel Macomb in the report of 1874, in connection with the subject of transportation routes to the sea-board."

The estimated cost of constructing this canal and feeder, including right of way, is \$6,672,890.67; the estimated cost of enlarging the Illinois and Michigan Canal, \$2,298,919.15; total, \$8,971,809.82. This estimate is for the construction of what is known as the Rock Island route, which is recommended by the committee.

The proposition in the bill is to accept of the proffered grant of the Illinois and Michigan Canal made by the State of Illinois on the terms proposed, and to construct, under the direction of the Secretary of War, the Illinois and Mississippi River Canal (called the Hennepin), thus connecting the great water systems of the East and West.

Your committee deems it necessary to enter more fully into a description of the proposed canal in this report, but would respectfully call the attention of the House to considerations in favor of the passage of the bill.

#### WHY THE BILL SHOULD BE PASSED.

The four great departments of industry which give employment to our people are agriculture, mining, manufactures, and commerce, and that it is the duty of the Government to promote and protect each of these branches by wise and appropriate legislation is acknowledged by all, and it must be conceded that the cost of transportation is a factor of the highest importance, not only to these industries, but, as we hope to show, to the whole country.

In discussing this question it must be borne in mind that the agricultural districts, which furnish a surplus of wheat, corn, oats, and barley, lie west of the Alleghenies, and for the most part these cereals are produced in the great valleys of the Mississippi and Missouri and their tributaries. The distance, then, that these products of the farm must be transported to find a market is very great, whether that market be furnished by the more sterile Eastern portion of our own country or abroad, whether in New England or Great Britain. It is, moreover, apparent that to the producer every dollar of the cost of transportation he is obliged to pay in reaching a market which might have been saved is a burden laid upon him without a compensation, and for which there is no justification. A farmer who declines to adopt such improvements as will enable him to produce a crop of corn or wheat at the least possible cost will soon find himself distanced in the race for success. This is equally true of a Government to which is intrusted the legislation necessary to insure the cheapest modes of marketing the products of the soil. In this active and intelligent age the laggard nation is left behind.

Railway rates on wheat mount up to from 12 to 15 cents per bushel between Chicago and New York as soon as lake navigation ceases, while in summer it is scarcely half the higher figure. The proportionate charge by rail for the transit of a bushel of wheat between Chicago and Buffalo would be in the winter from 6 to 8 cents, while by lake it is generally 2 cents, and often less than that. The freight on a bushel of wheat between Saint Paul and Chicago is from 12 to 15 cents, while Major Benyaud has shown that by the Mississippi and the Hennepin Canal it would not exceed 6 cents. Now, why this difference? We answer that it is owing to the existence of the great lakes and of the Erie Canal, a free water way on which heavy articles can be carried at less cost than is possible by railways, and with which pooling and combination to maintain prices is impossible.

Take another illustration, furnished in the transportation of anthracite coal. This fuel is wanted for consumption in almost every city and village in the great Northwest, and if the rates of transportation were reduced, as would be the case if the Hennepin Canal was in operation, the market for this mine product would be increased many fold. This coal is now taken from Erie, Pa., and from Buffalo to Chicago for 60 cents per ton, while the railways west from Chicago charge \$2 per ton freight from that city to the Mississippi River.

Now, if this canal was in operation freight on this coal would not exceed 50 cents per ton, thereby saving \$1.50 per ton over present railroad rates, and the saving on salt, iron, nails, oil, glass, paints, and all heavy merchandise would be equally great.

Not alone in grain and coal will the construction of this water connection between the two great national water systems of the country prove beneficial to both producers and consumers, but it is believed that it will prove a substantial blessing to every manufacturer and employé in all New England, New York, New Jersey, Pennsylvania, and Ohio. In short, it will be the great reducer and regulator of freight rates from the Missouri and Mississippi to the seacoast. It will enable the manufacturer to obtain a larger and a better market and the producer a higher price—a benefit to all.

Is further argument necessary to convince the most skeptical that the construction of this canal, thus forming a link that will connect the great Mississippi River with the lakes, thereby furnishing an all-water route to the commerce of the East and the produce of the West and Northwest, is urgently demanded? As it may be asked what relief would that afford, we answer, what relief do the lakes, the Erie Canal, and the Hudson River afford? Let us see: All water rates on grain from Chicago to Buffalo, a distance of 1,000 miles, are often but 1½ cents per bushel, and contracts have been made from Chicago to New York, including transfer charges, for 6 cents per bushel. Hence, is not the conclusion inevitable that if the Hennepin Canal is built and an all-water communication furnished from all points on the Mississippi and Missouri Rivers to the lakes the present freight charges will be reduced more than 50 per cent.?

The railroads are charging from the Mississippi and Missouri Valleys to Chicago from 12 to 15 cents per bushel. Now, if this canal was constructed, wheat would be carried by water at from 3 to 5 cents per bushel from corresponding points, which would be a saving over present railroad rates of from 8 to 10 cents per bushel; and the saving would be equally great on oats, corn, and other products. But suppose the saving to be only 5 cents per bushel over present railroad rates, there would be a saving amounting to millions of dollars annually, which would be left in the pockets of the people, and not find its way into the pockets of railroad magnates. It is thus clearly seen that the saving, over present railroad rates, in one year would widen and deepen the Michigan and Illinois Canal and construct this canal over and over again.

Your committee, in giving this question that careful thought and consideration which it merits, is not unmindful of the fact that this question of interstate commerce has been agitated by the public and on the floors of Congress for years, in the vain hope that some relief would be furnished the people by reduction in transportation rates, and we are sorry to say that so far no practical good has resulted; hence we think it would be an act of wisdom on the part of this Congress if it would improve and extend our water communications, and thereby furnish a little practical relief.

Your attention is called to a communication on this subject, addressed to the Legislature of New York by that distinguished statesman, ex-Governor Seymour. He says:

"\* \* \* A false and mischievous idea has grown up in our country that Europe depends upon us for food. This is not true. They can get all they want from many parts of the world; from India, South America, and Australia. In South America vast herds of cattle are killed merely for their hides. The carcasses are left to decay. Great Britain, which buys more of our provisions than any other country, is building railroads in Northern India to cheapen transportation, and in sending farming tools into that region to improve its agriculture. This policy has been followed by a great increase in its production of grain. Within a few years the exports of wheat from India have grown up to many



millions of bushels. The governments of Europe are trying to lessen our exports as they give us such heavy balances against them. For this reason, Germany and France shut out our pork, and other governments show great uneasiness, as we disturb their relationship to their people. Our only course is to undersell other countries; as labor is higher here than elsewhere, we must depend upon smaller charges for carrying. That region is fast becoming one of our strong competitors.

"We only sell to Europe because we have cheaper modes of sending our products to their markets. We have been able to do this because we have cut down the cost of carrying. Our exports grow up as carrying rates are cut down. Railroads have always followed lower rates upon water routes, but the last are the cheapest, as is shown by the table of rates in the report on commerce and navigation of the General Government. Our agricultural interests are the most important of all. When water routes are closed by winter, railroad rates go up; when they are opened in spring, rail rates go down. \* \* \* We are now able, if we are wise, to overcome the greater cost of production in our country, owing to our higher wages, by our cheaper transportation. We are to have a hard struggle to keep our lead as a food-supplying country, and we must give up the delusion that Europe depends upon us for food. It will only buy of us if we can deliver it to them at the lowest cost. The delusion that the Old World depends upon us for food stimulates extravagance in Congress and corruption in Legislatures. If we fail to uphold our water routes as protection against unjust and unwise charges for transportation, we shall suffer in the future."

#### INTERSTATE COMMERCE.

The question of interstate commerce and of cheapening transportation has engaged the attention of the whole country for years. This agitation led the Senate in the last Congress to appoint a committee of able and experienced Senators, who have recently reported the results of their investigations in an able paper. A careful examination of that report fully discloses the difficulties that lie in the way of so controlling railways as to permit of no injustice being done to the people or to these corporations.

The aggregate capital of the railway corporations of the United States is believed to be over \$8,000,000,000. Their affairs are conducted by the best business talent the country affords; they have before them the very natural object of making their investments pay, and although these corporations are in all respects amenable to the State and National Governments which created them, yet they have rights that must be respected, and they have interests that must be protected; for the whole country has shared, and must continue to share, in the benefits and blessings of our unequalled extent of railway facilities; but conceding all this does not justify the conclusion that the Government, by whose authority these corporations have life, should place in their hands the exclusive inland carrying trade of the country. Railway rates should be regulated in the interests of the people, and your committee are of the opinion that free water transportation is well calculated to secure that end. On this point the testimony taken by the Select Committee of the Senate on Interstate Commerce is so conclusive, and applies with such force to the proposed Hennepin Canal, that your committee insert their conclusions in this report:

#### THE EFFECT OF WATER COMPETITION UPON RAILROAD CHARGES.

"The evidence before the committee accords with the experience of all nations in recognizing the water routes as the most effective cheapeners and regulators of railway charges. Their influence is not confined within the limits of the territory immediately accessible to water communication, but extends and controls railroad rates at such remote and interior points as have competing lines reaching means of transport by water. Competition between railroads sooner or later leads to combination or consolidation, but neither can prevail to secure unreasonable rates in the face of direct competition with free natural or artificial water routes.

"The conclusion of the committee is, therefore, that natural or artificial channels of communication by water, when favorably located, adequately improved, and properly maintained, afford the cheapest method of long distance transportation now known, and that they must continue to exercise in the future, as they have invariably exercised in the past, an absolutely controlling and beneficially regulating influence upon the charges made upon any and all other means of transit."

#### WHEAT AND CORN.

As per official estimate the crop of wheat for the year 1884 in the Upper Mississippi States was 188,349,000 bushels, and of corn, for the same year, 837,574,000 bushels, making a total of 1,025,923,000 bushels of these two staples. Now, it is well known that the market value of this vast amount of grain is determined by the price that can be obtained abroad for so much of it as seeks a foreign market. The cost of production and the cost of transportation has nothing whatever to do in determining the price. It is not, then, perfectly clear that whatever is saved in the cost of transportation is an absolute gain to the producer, and, therefore, a failure to secure any possible saving in the transportation lays a burden unnecessarily upon the producing farmers of the West.

To more definitely show the immense saving which would be effected by the construction of the proposed canal, your committee would again call attention to the amount of wheat and corn produced in the States of the Upper Mississippi Valley in 1884, as above stated, showing a total of 1,025,923,000 bushels. Now, suppose one-half is shipped eastward for consumption and for export, and the saving is only 2 cents per bushel, it reaches over \$10,000,000 in a single year, whereas, as is believed, the saving is equal to at least 5 cents per bushel, and you have the fabulous sum of over \$25,000,000 annually, to say nothing of the saving on heavy articles going West, which would amount to many millions more.

#### THE EFFECT OF FREE WATER TRANSPORTATION ON RAILWAYS.

Your committee are unwilling to admit that cheapening transportation on heavy articles, thus benefiting the people, will result in damage to the great railway interests of the country; on the contrary we believe that whatever is for the general good will, in the end, prove beneficial to our railways.

We do not desire to antagonize the railways, which have done so much to develop the country generally, and the great West in particular. The place these public corporations have to fill is to serve the purpose of rapid transit for passengers and mails, and such freighting as can bear the charges imposed without inflicting a loss on the consumer or producer that is burdensome, but in the matter of all heavy freights not requiring special speed, it is now demonstrated that our extended national water ways must be brought into use. Missing links like the Hennepin Canal must be constructed and the crippled industries of our country must thereby be restored to a condition of health and prosperity.

#### NATIONAL CHARACTER OF THE WORK.

Your committee would point to the important fact that when the Illinois and Michigan Canal becomes a national work, and the "Hennepin" a part of the same, then will there be a great public water way connecting Chicago with Saint Louis and New Orleans, on which fleets of barges towed by steam will ply and connect these three great cities of the West.

The sugar, rice, and cotton of the delta of the Lower Mississippi and the valuable lumber of Alabama, Arkansas, and Tennessee will have another outlet at rates which will leave the producer a fair margin, while the produce and manufactured articles from the North will find their way to the consumers of the South at living rates of freight.

When, as it is hoped in the near future will be the fact, we have either a canal cut through the Isthmus, or a way provided for carrying over it our merchant

vessels as they ply between New Orleans and the various sea-ports of our neighbor republics of South America, laden with the interchangeable products of the Northern and Southern hemispheres of the American continent, then our city of New Orleans should be, and we hope will be, in readiness to become the great metropolis of the South as New York is of the East, and will be equipped with a water course permeating every part of our great Mississippi Valley, ay, and through the great lakes to the Gulf of Saint Lawrence.

#### EFFECT ON OUR EXPORT TRADE.

Your committee would be unfaithful to the interests of this great internal improvement if they failed to call the attention of the House to the intimate connection that exists between our export of cereals, especially of wheat, and cheap transportation. The States of Illinois, Iowa, Missouri, Minnesota, Kansas, and Nebraska, all lying westward from Chicago, are large wheat-producing States. For many years the surplus wheat and flour of the United States have found a market in Great Britain, but it has already transpired that we are severely menaced with competitors for this great market, a fact that demands our serious attention.

Our shipments of cereals to foreign markets have gradually fallen off. In 1880 our exports of these commodities amounted to 288,000,000 bushels and decreased from year to year until in 1885 the shipments had fallen to 162,000,000, being a decrease of 126,000,000 in five years. During the same period there has been a constant increase in wheat shipments to the English markets from Australia, Russia, and India. The increase in exports of wheat from the latter country have been most remarkable. In 1872 the first experimental cargo came to Liverpool from India. In 1875 she sent only 1,500,000 of bushels; in 1882, 37,000,000, and last year India shipped to England over 60,000,000 of bushels.

#### WHAT ENGLAND IS DOING IN INDIA.

How comes it to pass that the shipments of wheat from India have increased so enormously? The answer is that the English Government has expended large amounts of money, over \$100,000,000, to cheapen the transportation of wheat from inland India to the seaboard, and thus the production of wheat, which before was without a market, has been largely increased. What, then, is the duty of the American Congress? Shall we yield the contest for a market without a struggle? Shall we not rather begin now to improve our natural water courses and to construct such connecting links as the Hennepin Canal, to the end that the remote portions of our great country may be brought as near as possible to the sea by cheap freights, and thus maintain a foreign market for our surplus?

The period will doubtless come in our country when, with a largely increased population and a diversified industry, all of our tillable soil will be required to produce the breadstuffs we shall then need for home consumption; but time enough must elapse before we reach that point to justify a determined effort on our part to maintain for our surplus cereals that foreign market we have so long enjoyed. Suppose we fail in this, and as a consequence the balance of trade turns against the United States; will any one contend that financial disaster and commercial ruin would not be the result? If we would avert the dire consequences that most certainly would follow such a changed condition of our foreign trade, we must see to it that our inland rates of transportation on our surplus cereals are reduced to a minimum, and your committee believe that the construction of the proposed canal would do more to accomplish that end than would be possible in any other expenditure of the same amount of money.

#### SHALL THE UNITED STATES BUILD THE CANAL.

But, says the objector, you may be correct in your estimate of the great importance of cheap inland transportation; it may be true that agriculture, mining, manufactures, and commerce may all be greatly benefited in the way you describe, but it is not right for the General Government to undertake to build canals within States; the States through which these public improvements may chance to be located should construct at their own cost.

When the Hennepin Canal is in operation, its benefits will be felt in every county between the Mississippi and Missouri Rivers, and in Kansas and Nebraska as well. Indiana and Ohio will send their bituminous coal, and Pennsylvania her anthracite and her iron ore more cheaply to the West, and so will New England and New Jersey feel the influence of reduced rates of freight; while the Empire State, with her unrivaled metropolitan seaport, will share with Philadelphia and Baltimore in the increase and permanence of a foreign trade, which without cheap inland freight would not exist. Shall it be said that Illinois should do all this? Nay, verily. Your committee are brought to the conclusion that too much has already been done by the General Government in the improvement of our water courses to allow such an unjust policy to prevail; too many millions have already been expended on improvements not a whit more national in their character than the canal, by which it is proposed to simply remove an obstruction that nature has left in the way of connecting the waters of the Gulf of Saint Lawrence with those of the Gulf of Mexico, to justify the conclusion that any single State should construct this canal.

#### COMMENDATIONS AND INDORSEMENTS.

No public improvement, in the knowledge of your committee, has received the indorsement that this has. As early as the year 1845 a water convention was held at Memphis, Tenn., with Hon. John C. Calhoun, that strict constructionist of South Carolina, as presiding officer. It was represented by five hundred and fifty-three gentlemen from sixteen States, and the following resolution passed that body unanimously:

*Resolved*, That the project of connecting the Mississippi River with the lakes of the North by a canal, and thus with the Atlantic Ocean, is a measure worthy of the enlightened consideration of Congress."

In 1872 the President of the United States called the attention of Congress to this canal and other water improvements, and suggested the selection of a committee, with power to investigate and act. In compliance with the President's wish, the Senate selected seven out of that body, Senator William Windom, of Minnesota, being its chairman.

By referring to page 233 of the report made by that committee to the Senate you will find the following statement made:

"The freight charged by the Chicago, Rock Island and Pacific Railway Company is 8 cents per 100 pounds from Henry to Chicago, between which points there is water competition, while the rate to Tiskilwa, only 12 miles farther west than Henry, and beyond the effect of canal competition, is 15 cents per 100 pounds, nearly as much for 12 miles as for 100 miles."

And it is proper for your committee to state that both these points are on the proposed canal, Henry east of Hennepin and Tiskilwa west.

A further reference to that report of the Senate committee will show its indorsement and strong reasons why it should be constructed in the interest of commerce. The General Assembly of the State of Iowa did, in 1861, in 1870, in 1874, in 1880, in 1882, in 1884, and at the present session of its Legislature, memorialize Congress for the construction of this canal. Illinois, through its legislative body, has also repeatedly memorialized Congress and requested its representatives to support this improvement. The Legislature of New York has twice passed resolutions, almost unanimously, urging Congress to construct this canal, and requested its representatives to vote an appropriation therefor.

In 1884 President Arthur saw proper to call the attention of the Forty-eighth Congress by special message to the public importance of this water communication, and therein recommended its consideration.

The Forty-seventh Congress ordered a survey of said canal and appropriated \$30,000 to pay the expense.

Maj. W. H. H. Benyard, of the Civil Engineer Corps, made said survey, and his reports and estimates are on file, and we are confident that a careful perusal of said report will satisfy the most skeptical that this canal should be built because of its worth and merit.

Every convention that has been held in the interest of Western water ways has given this canal a favorable indorsement. We will refer to a few particularly: One in Saint Louis, in 1830; one in the city of Davenport, Iowa, in 1881; one in New Orleans, in 1885, and one in Saint Paul, last September. These conventions were composed of hundreds of delegates, representing all the States in the Mississippi and Missouri Valleys, North and South, with governors, members of Congress, and United States Senators of those States, and it pleases your committee to say that after careful and general discussion all of these great bodies passed resolutions unanimously indorsing the construction of this canal, and urging Congress to make an appropriation therefor.

It has been indorsed twice by the National Board of Trade, held in Washington in July, 1884 and 1885, and by the Industrial Congress, held in Chicago in May, 1884.

In March, 1885, a select committee was appointed by the Senate to investigate and report upon the subject and regulation of transportation by railroad and water routes. By reference to pages 167 to 175 inclusive, it will be seen that that committee, after careful investigation, concluded that this water improvement was absolutely necessary in the interest of commerce, and that the General Government should, without further delay, make the necessary appropriation. The last Congress was petitioned by the leading wholesale merchants, business men, and manufacturing companies of New Haven, Meriden, Norwich, and Hartford, Conn.; of Manchester, N. H.; of Fitchburg, Worcester, Springfield, Pittsfield, North Adams, and Holyoke, Mass., and of Pittsburgh, Pa.

The commercial bodies of Chicago, Saint Paul, Minneapolis, Saint Louis, La Crosse, Duluth, Davenport, Muscatine, Rock Island, Buffalo, Syracuse, and New York have all memorialized Congress for its construction.

The New York Board of Trade and Transportation has a membership of one thousand business firms in New York city. It devotes its income and time to the consideration and decision of questions of public interest. It is not a trading body. Twice this board has indorsed the "Hennepin Canal," after careful consideration and full discussion.

Your committee would call particular attention to the language of one of these indorsements, namely, the Produce Exchange, of New York. They number three thousand members, and they never take action without careful deliberation by reference to proper committee, and then act on their report. And it must be said to their credit, they gave this canal their unanimous indorsement, which was prefaced by saying:

"That this was the first time since their organization that they had recommended the General Government to aid or construct internal improvements, or had asked or advised their Representatives in Congress to vote appropriations for any internal improvement of any kind; that this was an exception, and if they were not firmly convinced that it had merit they would not depart from their universal rule."

#### WOULD THE EXPENDITURE BE A PROPER ONE?

Again it may be thought that the amount required to construct the "Hennepin" and improve the present canal (\$9,000,000) is too large a sum for such a locality.

Reference has already been made to the saving of \$10,000,000 per annum on grain freights alone, which it is believed this great improvement will secure, and in this connection your committee beg leave to refer to the amount of internal-revenue tax collected in the last fiscal year from the States that produce so largely the cereals for which cheap transportation will be secured by building this canal:

Illinois .....	\$33,075,864 61
Iowa .....	2,222,059 15
Kansas .....	170,202 02
Nebraska .....	1,971,296 12
Minnesota .....	492,704 97
Missouri .....	6,276,155 85

34,238,292 72

It will be seen that a small per cent. of the amount thus actually paid into the United States Treasury annually by the States named would build the "Hennepin" and improve the Illinois and Michigan Canal as proposed; and it should not be forgotten that the people of these States contribute their full share to the payment of whatever of duties on imports are laid to raise the revenue and to protect the manufacturing industries of the country. These States do not come here to ask for themselves special favors, but only that which is manifestly for the interest of all sections, and to the injury of none.

The people of these States are as intelligent, as enterprising, and as fair-minded as any other, and it is not too much to say that, in the name of fair play, they insist on the construction of this great improvement.

Whenever it shall be in the future, as it has been in the past, that the great Northwest shall be called on to vote for the improvement of our harbors and rivers, or to do anything properly demanded in the interest of commerce, its Representatives will not withhold the needed aid; and your committee will not doubt but that Congress will, by the passage of this bill, accept the grant of the Illinois and Michigan Canal, generously offered by the State of Illinois, and construct the Illinois and Mississippi River Canal, thus uniting the great water systems of the East and West and of the North and South in one grand highway for internal commerce.

Your committee therefore, in consideration of the importance of the construction of the Hennepin and Rock Island Canal, and of the enlargement of the Illinois and Michigan Canal, in the interest of the great and rapidly growing commerce of the country and of the people, and especially of the Northwest, report back said House bill 3022 with a substitute, and recommend the passage of the substitute.

Mr. Chairman, is it not an admitted fact that no other country has so many great rivers and lakes, extending from the far interior to the tide water in so many directions, as ours? Great navigable channels for commerce, with comparatively few obstructions, and who says these obstructions shall not be removed, the channels opened, widened, and deepened, so that Congress can have some hope in the near future to render aid and comfort to the producer of the Northwest and furnish help and contentment to the consumer of the East, a universal blessing that all good people would take pride in? For the true object in life is happiness, and, as governments are founded solely for the benefit of the governed, why should not this Government, as a blessing to our people, improve our natural water ways, and construct artificial ones, when such action will be productive of so much good?

Yes, Mr. President, transportation by water is admitted to be the cheapest possible the world over, and we, the American people, who boast that we are correct by instinct, have made the least water im-

provement for navigation in the interest of commerce of any civilized nation.

For who does not know that the sum total for internal improvements in this country is utterly insignificant when compared with those of European countries of far less financial ability?

Now, in modern times civilization has but two modes of transportation—by rail and by water. Has not the Government of the United States furnished hundreds of millions of dollars to aid railways that are private corporations and under the control of persons and individuals? For we all know that this question of interstate commerce, in the blind effort to furnish a remedy by Congressional action, has so far proven abortive and done no good, that State assistance and legislative action have accomplished but little. And I am confident that when the Congress of these United States found no legal or constitutional objection to voting aid and assistance to private corporations, in the interests of the public, it ought not and will not hesitate to grant the same aid and assistance to improve our natural water ways and construct artificial ones when it is seen that necessity demands them as the only correct and certain regulators of railroad rates.

And it ought, and will, give to the commerce of the East and the producers of the West and Northwest the cheapest possible transport, which is by water.

Mr. Chairman, the construction of this canal will connect the Upper Mississippi with the great lakes, and 600 miles of that father of waters will be made available and will make navigation continuous and complete from the city of Saint Paul to the great lakes, and thence to the seaboard, a distance of 2,000 miles. You may ask, what is the inducement? What relief would that afford? I answer, what relief do the lakes, the Erie Canal, and the Hudson River afford? Why, rates on grain from the Western lake ports to Buffalo, a distance of 1,000 miles, are often but 1½ cents per bushel—it has been shipped for less—and contracts have been made from these ports to New York, including transfer charges, for 6 cents per bushel. Hence will any one doubt or dispute the statement, that if this canal is built, and an all-water communication furnished from all points of the Mississippi River to the lakes, that the present freight charges will be reduced from 50 to 75 per cent.; that instead of paying 12 to 15 cents per bushel it will be carried from 3 to 5 cents per bushel. Which saving will leave in the pockets of the producers millions that are now paid out to railroad corporations and companies; and what is true of the grain shipped East is equally true of merchandise shipped West. Take, for example, by way of illustration, the anthracite coal of Pennsylvania, which, you well know, is consumed in large quantities in the Northwest since the introduction of base-burning stoves into domestic economy. This coal is brought by water from Erie, Pa., and laid down in Chicago, a distance of over 1,000 miles, for 60 cents per ton; and you all know it costs to-day \$2 per ton to transport this coal to the Mississippi River, a distance of less than 200 miles.

Now, construct this Hennepin Canal and it will not cost 50 cents per ton—thereby a saving of \$1.50 per ton over present railroad rates. What is true of coal is equally true of salt, nails, oil, glass, lumber, iron, paints, and all other heavy merchandise; and equally true of Eastern shipments of all kinds of grain and farming products.

And, Mr. Chairman, I now make the statement that, by comparison and mathematical calculation, if you adopt this report, and this great water way is opened from the Mississippi and Missouri Rivers to the lakes, the surplus grain of the States of Illinois, Iowa, Kansas, Nebraska, Minnesota, and Wisconsin, there will be a saving of 6 cents per bushel over present railroad rates now charged, and 6 cents per bushel would amount to \$31,326,105.50. This is no dream of fancy, for the annual board of trade for the city of Chicago, which is as follows, proves its correctness, which I now read:

4. The vast volume attained by the annual cereal product of the States directly tributary to the Upper Mississippi presents yet additional support to the plea for an all-water transportation route to the East. The annual report of the Chicago Board of Trade for 1882 estimates the crop yield thus:

Illinois:	Bushels.	Nebraska:	Bushels.
Wheat.....	52,302,900	Wheat.....	14,947,200
Corn.....	187,336,900	Corn.....	82,478,200
Oats.....	18,696,000	Oats.....	44,555,700
Total.....	258,335,800	Total.....	141,981,100
Iowa:		Minnesota:	
Wheat.....	25,487,200	Wheat.....	37,030,500
Corn.....	178,487,600	Corn.....	21,127,600
Oats.....	99,141,000	Oats.....	9,417,650
Total.....	303,115,800	Total.....	67,575,750
Kansas:		Wisconsin:	
Wheat.....	33,248,000	Wheat.....	20,145,400
Corn.....	150,452,600	Corn.....	30,201,600
Oats.....	29,700,000	Oats.....	12,780,800
Total.....	213,400,600	Total.....	63,127,800

Thus is presented a grand total of 1,047,536,850 bushels as the product of three cereals only in a single year from six States, constituting only a part of the widely extended area certain to be affected and benefited by an extension to the Upper Mississippi of the water-route system of transportation reaching westward from New York, but now having its western terminus at Chicago. But consideration of these facts would be seriously incomplete were it not made to



include the fact that, vast as are the aggregates of productions in the States named for the year 1882, they are certain to be yet largely increased year by year. Comparative statistics are almost startling in that regard. Thus, as a single illustration where many might be given, the wheat product of Iowa from 1849 to 1880, as shown by carefully compiled statistics, aggregated 50,000,000 bushels; from 1860 to 1870, 195,000,000; from 1870 to 1881, 375,000,000 bushels. Of corn the yield was, from 1849 to 1880, 250,000,000; from 1860 to 1870, 550,000,000; and from 1870 to 1881, 1,800,000,000 bushels. Estimating the wheat at 85 cents per bushel and the corn at 35 cents, a curious statistician has recently shown (see Clinton Iowa Agriculturist, February 2, 1883) that the total value of these two crops in Iowa, excluding those of 1882, would equal \$1,177,000,000, or more than the highest estimate of the value of all the gold product of California from its discovery on June 19, 1848, to June 30, 1881.

Yes, Mr. Chairman, it is admitted and can not be denied but that cheaper transportation is absolutely necessary if we intend to find a market abroad for our surplus products. For it is a maxim in commercial law that man will buy where he can buy the cheapest and sell where he can sell the dearest, and as experience shows that water routes are the cheapest, why should not we improve our natural water routes and construct artificial ones, when, like the Erie Canal and this canal, they only form connecting links? And I refer in this connection to the following statement by Mr. Horatio Seymour, jr. He says:

Experience shows that water routes are the cheapest for many kinds of transportation, as will be made clear by the following statement:

*Average rate per bushel of grain.*

Year.	Chicago to Liverpool.			New York to Liverpool.	
	By lake and canal.	By lake and rail.	By all rail.	Steamer rates.	Sailing vessel rates.
1868.....	25.3	29.0	42.6	14.36	.....
1869.....	24.1	28.0	35.1	12.98	.....
1870.....	17.5	22.0	33.3	11.56	.....
1871.....	21.6	25.0	31.0	16.32	.....
1872.....	26.6	28.0	33.5	15.28	.....
1873.....	19.2	26.0	33.2	21.12	19.82
1874.....	14.2	16.9	28.7	18.16	15.66
1875.....	11.4	14.6	24.1	16.14	14.24
1876.....	9.7	11.8	16.5	16.04	15.28
1877.....	7.5	15.8	20.3	13.86	13.82
1878.....	10.1	11.4	17.7	15.22	14.18
1879.....	13.0	13.3	17.3	12.40	11.80
1880.....	13.2	15.7	19.7	11.76	10.20
1881.....	18.6	10.4	14.4	8.16	9.50
1882.....	8.7	10.9	14.6	7.76	.....
January 1 to November 1, 1883.....	9.16	12.0	16.1	.....	12.50
Six months, January 1 to July 1.....	.....	.....	.....	9.08	12.50

It will be seen from the foregoing statement that the average difference in an all-rail route of transport from Chicago to New York of grain since 1868 to 1882 is a saving of 9½ cents per bushel on the average by an all-water route over an all-rail route. And this saving on the amount we shipped abroad in 1880, which was 298,000,000 bushels, as given by official statement, would be two millions eight hundred and odd thousand dollars. And as our foreign shipments are only about one-half that is transported from the West to the East we can correctly calculate on at least \$2,000,000 more saved by an all-water transport for home consumption. That would make \$4,800,000 saved by water transportation over rail routes from Chicago to New York in one year, and if the saving on Western shipments was an equal sum, that would be a saving of \$9,600,000; and in this connection I wish to call your attention to the reports of the leading trunk lines, collated by Mr. Joseph Nimmo, jr., in a table illustrating the successive reduction of freight charges on those roads and on the Erie Canal, respectively, which furnish striking evidence on this point. I read from Internal Commerce of the United States for 1880, appendix, page 230:

Of twelve of the railroads therein enumerated, maintaining an average freight charge of from 1.85 to 3.168 cents per ton per mile, respectively, in 1868, the only ones maintaining for the year 1880 an average freight charge of .88 of a cent per ton per mile were those having no water-route competition. This is a summary of that exhibit as to the charges for 1880 per ton per mile:

RAILROADS HAVING COMPETITION IN WATER ROUTES.	
	Per ton per mile.
New York Central Railroad.....	\$0 00.88
Pennsylvania Railroad.....	00.88
New York, Erie and Western Railroad.....	00.84
Philadelphia and Erie Railroad.....	00.56
Lake Shore and Michigan Southern Railroad.....	00.75
Michigan Central Railroad.....	00.842
Pittsburgh and Fort Wayne Railroad (for 1879, for 1880 not given).....	00.76

RAILROADS NOT COMPELLED TO MEET WATER-ROUTE COMPETITION.	
	Per ton per mile.
Boston and Albany Railroad.....	\$0 01.20
Chicago, Burlington and Quincy Railroad (for 1879, for 1880 not given).....	01.023
Chicago and Northwestern Railroad (for 1879, for 1880 not given).....	01.49
Chicago, Milwaukee and Saint Paul Railroad (for 1879, for 1880 not given).....	01.76
Chicago, Rock Island and Pacific Railroad (for 1879, for 1880 not given).....	01.21
Erie Canal rate for 1880.....	0 00.49

Thus it will be seen that the four leading trunk railroads running to Chicago from the Upper Mississippi Valley States maintained an average of .63 of a cent per ton per mile freight charge in excess of the average freight charge of seven other trunk railroads eastward of Chicago, where tariff rates were, as Mr. Pink has explained, constantly under the control of the potentially operative competition of the water routes of the lakes and the Erie Canal. The fact thus cited to attention is a very important one. Its existence is urged as furnishing an argument for the opening up of an extension of the water route of the lakes to the Upper Mississippi so strong that its force can neither be moderated nor escaped.

Is any more argument necessary? Will any more be required to support the proposition that if the Government of the United States will do its duty to 'he people and construct this canal the people of the Northwest can save 50 per cent. over present rates of transportation, and 50 per cent. would amount to over \$10,000,000 annually? And when you add to that a corresponding saving of 50 per cent. to the Eastern people on their manufactured goods and other products, that would be a saving of \$10,000,000 to them, making an annual saving over present rates of \$20,000,000. Thus it can be seen with the naked eye that the saving over present railroad rates in one year would build the canal three times. Hence, in the light of the foregoing, will any gentleman on this floor contend for a moment that this internal (not, as it is sometimes termed, "infernal") improvement is not worthy, meritorious, and necessary? This is no local matter, for cheap transportation benefits the consumers and producers alike. It is true the farmers are more urgent in demanding these improvements, because cheap transportation is indispensable to foreign markets for their surplus grain. And is there any question more seriously agitated by the public to-day, or of so much importance as to guard with zealous care the agricultural interests?

For you all know it has been the greatest factor in the commercial prosperity of this nation, and will continue to be, if right and justice is done. You may ask what special rights the farmer has over any other class for consideration. I will answer: They have all the right which the furnishing of 80 per cent. of all our exports during the last sixty years can give them, and they have the further right—they furnish the production from whence comes our internal revenue.

So, you see, all the other interests combined export only one-fifth as much as the farmers, and any one of them has received five times as much care, aid, and protection from this Government. Will this continue? If we act wisely it will not, but if we act unwisely, and fail to do our duty by constructing this canal and improving all our water ways, thereby increasing our facilities and reducing the present cost of carriage, we will find that our producing rivals, Russia, Australia, and India, will supply the Liverpool market instead of the United States of America. For if that market takes its supply from these nations, our surplus will be a burden; and, believe me, this is no dream of fancy, for a casual investigation will show the situation and danger.

Will any one deny that it is a maxim of commercial law "that man will buy where he can buy the cheapest, and sell where he can sell the dearest?" And hence, is it not a mathematical conclusion that the saving of 5 to 10 cents per bushel on our hundreds of millions of surplus, in its carriage, would find a demand that if not saved it would not? And is it not wise and just to protect our farmers, and let them enjoy in the future, the same as in the past, the sunshine and comfort that \$200,000,000 will furnish from the sale of these surplus products abroad? For if we have a foreign market, that is the amount we will receive.

Yes, my friends, investigation tells us that we have to-day formidable competitors in the Liverpool markets, and their growth and strength increases daily. We learn that India, one of our competitors, sent her first trial cargo to Liverpool in 1872. In 1875 she sent 1,500,000 bushels of grain. She kept on increasing yearly until in 1882 she shipped over 37,000,000 bushels of wheat; which increase has continued until last year she shipped 74,000,000 bushels, being three-fourths as much as the United States exported in 1880. Now, I ask in all candor, is not this conclusive that this competition is real, substantial, and permanent?

Supply and demand is the arbitrary rule that fixes prices, not by force of imagination or supposition, but by mathematical calculation. And remember there is no protection, low or high tariff, to aid or assist our honest farmers in finding a market for their surplus products.

But it is said canals are played out, and this age and generation are too progressive; that we have not time to give them thought or consideration; and I fully realize that before you can convince you must be heard, and you can not be heard without attention. And while I am satisfied that all things have their day and generation, do we not believe in resurrection and reform? And how often do we find reform absolutely necessary in all departments of life, for we have ups and downs in life the same as "puts and calls."

Yes, Mr. Chairman, history tells us that during the latter half of the eighteenth century there was a greater rage for canals than for railroads. In the third quarter of this—the nineteenth—century it was the reverse, and I am of the opinion that the latter part of this century will ever be famous for the canals constructed.

In England and Wales they have 4,332 miles of inland water ways, of which 2,919 are canals, and the total cost is estimated at \$100,000,000. Russia has 900 miles of canal, which, in most instances, unite head-

waters of rivers that have their outlets at opposite extremities of the continent.

Sweden abounds in lakes which cover 14,000 square miles, with no navigable rivers except those which have been made so by internal improvements and canals. Sweden has nevertheless great internal navigation, her lakes, rivers, and bays being connected by over 300 miles of canals. There is direct water communication between the Baltic Sea and Gothenburg, and the distance from Stockholm to Gothenburg is 370 miles—one 50-mile canal, and the same distance along the Baltic; the balance of 270 miles is through lakes, bays, and rivers, and thus made made navigable.

Germany had in 1878 1,250 miles of canals, 70 in number, which are being increased annually.

Holland has 930 miles of canals and 340 miles of river navigation. The North Holland Canal, 52 miles long and 16 feet deep, is the greatest work of its day. It was constructed from 1819 to 1825 at a cost of \$4,500,000.

France has the Canal du Mede, which unites the Atlantic with the Mediterranean and Bordeaux with Cette. The celebrated canal of Languedoc was built from 1667 to 1681—two hundred years ago. It is 171 miles in length and 5 feet 3 inches deep. It seems France has 8,120 miles of inland water transportation—by river, 4,997 miles, and canal, 3,123 miles. Actual cost of these canals, \$163,690,715; for river improvements, \$67,785,152, being a total, up to 1872, of \$231,475,867 expended by France for internal improvements; and in the face of this, in 1878 the estimated cost of canals and other internal improvements yet to be completed and constructed, \$200,000,000 more. Hence it will be seen that France, with a standing army of over five hundred thousand men, three hundred and two ships of war, and fifty thousand marines, at an annual cost of \$115,000,000, a public debt of four and three-quarter billions, almost double the amount which our national debt ever was, and a population of only 37,000,000, has expended on her water ways double what we have. And now, Mr. Chairman, I wish to contrast the action and expenditure of France for cheap water transportation with the United States, for an examination will tell us that our Government has only expended for all kinds of internal improvements since its foundation the small sum of \$111,000,000; and out of this sum canals have only had a trifle over \$10,000,000.

Mr. Chairman, shall the nations of the Old World teach us the duties of the hour? Are we willing to yield the proud position of leader in the world's proud march of progress to which we have been called by the god of nature?

This nation of ours, administered by the people and for the people, should not rest until our national water ways that are navigable are made perfect and complete by water connections like this canal.

Yes, this canal is demanded by every reason which should influence statesmen to legislate for the good of the people.

Will any one deny that the industry of our country is paralyzed for the want of money which lies locked up in the Treasury, and if paid out only on Government bonds will not aid or assist the commercial interests of our country or find bread and meat to the poor and needy who are willing to work early and late to keep gaunt want and wretched poverty from darkening their firesides? Yes, Mr. Chairman, we will do our duty and pay out, I hope, millions of dollars that are now rusting in the Treasury for this and other much needed public works, which action will result in a blessing to our people whose representatives we are, and thereby warm the firesides and gladden the hearts of thousands of our fellow-citizens by giving them employment and thereby put bread into the mouths of their suffering families.

And in this connection I wish to call the particular attention of this House to a question asked by our friend BLANCHARD, from Louisiana, and the reply thereto of Hon. J. C. Dore, of Chicago, when before the Committee on Rivers and Harbors at this session of Congress.

Mr. BLANCHARD said: "Would it not be proper to say, if we were to take one-half of what it costs France, England, or Germany to maintain their standing armies—such armies as we do not maintain—and put that in improvements, it would accomplish a great deal of good?"

Mr. Dore, answering, said: "Inferentially I am on the same line. The United States has no such burden. It is a common saying that we have no navy, and our Army is little more than sufficient for a national police; and yet, forsooth, with an immense annual surplus of revenue, how many of our legislators will say this great nation of sixty millions of people, and having now fifty billions of dollars of wealth, can not afford to spend \$25,000,000 annually on internal improvements? If we intend to compete with other nations in the markets of the world we must adopt the same means to insure success, if we can not do better. If we do not, we shall not deserve success and will continue to be beaten as we are now."

And, gentlemen on this floor, are we ready to yield the proud position of leader in the world's grand march of progress? Are we willing to allow our foreign market to be taken from us and captured by foreign rivals?

Mr. Chairman, I have no interest in this subject, except the interest I take in all things that concern the honor and welfare of my country and its prosperity. We are to have a hard struggle to keep our lead as a food-supplying country, and we must give up the delusion that

Europe depends upon us for food, for it will only buy of us if we can deliver at the lowest cost. The delusion that the Old World depends upon us for food stimulates extravagance in Congress and corruption in legislatures. If we fail to uphold our water routes as protection against unwise and unjust charges for transportation, we will suffer in the future. Yes, Mr. Chairman, it is estimated that the United States can produce to-day enough to supply 100,000,000 of people, while our consumption is for 50,000,000, so that we have a surplus of 100 per cent. What is to be done with this surplus if we can not compete and find a market abroad? Must it not rot in the storehouse? And in this connection I wish to call your close attention to a vital fact, and upon which rests our future prosperity, and that fact is a self-evident truth. If we have a market where we can take and sell our surplus products we will prosper, but if we have not we will not. To provide a market for our surplus is the question, for in my judgment our want in the near future is a market for our products.

To-day our want is supplied by a foreign demand, but who is bold enough to assume that it will continue with the sharp competition of rival nations that are to the front to-day? In that competition we can only hope to be successful by a cheaper transportation to the seaboard. Hence it is that the united producing interests of this country demand with one voice that Congress shall make the necessary appropriations to improve our natural water ways and construct artificial ones, when they form a connecting link, like the Hennepin Canal, to the end that our prosperity in the past will be enjoyed in the future, for without a market our surplus would be a burden; and remember, you never miss the water till the well runs dry. And, Mr. Chairman, I say how we are to provide, keep, and hold a market for what we have to sell is one of the most important subjects that can command the attention and respect of American statesmanship, for good statesmanship will not only provide for the present, but, if wise, will look into the future. So I may say that the construction of this water way by the General Government is needed and demanded, and that demand is voiced by the merchants and manufacturers of the East, seconded by the consumers of western products, and echoed back by ten millions of the producers of the Northwest, who have sweat and toiled, early and late, in the useless effort to contend by labor and patient toil against the unjust charges and willful extortions of railroads.

And, Mr. Chairman, in this statement I am but echoing the refined wisdom of that distinguished statesman, President Monroe, who in his first message to Congress said. I quote:

When we consider the vast extent of territory in the United States, the great amount and value of its productions, the connection of its parts, and other circumstances on which their prosperity and happiness depend, we can not fail to entertain a high sense of the advantage to be derived from the facility which may be afforded in the intercourse between them by means of good roads and canals. Never did a country of such vast extent offer equal inducements to improvements of this kind, nor ever were consequences of such magnitude involved in them.

Yes, Mr. Chairman, they are of great magnitude. Now, take this link in water connection—the Hennepin Canal—which connects the Mississippi River and its tributaries and our great inland lakes. Look at the map attentively; study it carefully. The now called Michigan and Mississippi Canal will carry freight from the Mississippi River to Lake Michigan at Chicago, and from thence the lakes will carry it to Buffalo, thence by the Erie Canal and the Hudson River to New York city, and from New York city by water around the world.

And, Mr. Chairman, if a single doubt rests in the mind of any gentleman on this floor I feel confident it will be removed when his attention is called to an article published in the New York Herald, prepared by that well-known writer on water ways, Col. Alexander D. Anderson, of New Orleans. He says:

Of the hundreds of streams which comprise the Mississippi River system forty-three are navigable, and either intersect or border twenty-one of the forty-seven States and Territories.

These twenty-one States and Territories contain 51 per cent. of the nation's area and 58 per cent. of the population.

The heads of navigation of the respective rivers are designated by cross marks on the accompanying diagram.

The total mileage of the forty-three rivers is 15,640.

The mileage of navigation attaching to each of the twenty-one States and Territories is approximated as follows:

Arkansas.....	2,100	Indian Territory.....	720
Missouri.....	1,870	Minnesota.....	660
Louisiana.....	1,650	Wisconsin.....	560
Mississippi.....	1,380	Ohio.....	550
Montana.....	1,310	Texas.....	440
Dakota.....	1,280	Nebraska.....	400
Illinois.....	1,270	West Virginia.....	390
Tennessee.....	1,260	Pennsylvania.....	380
Kentucky.....	1,230	Kansas.....	240
Indiana.....	840	Alabama.....	200
Iowa.....	830		

#### PRODUCTS OF STATES INTERSECTED.

The above-mentioned twenty-one States and Territories, which are either intersected or bordered by the navigable portions of the Mississippi and its tributaries, produced during the last census year 98 per cent. of the sugar, 94 per cent. of the coal, 89 per cent. of the corn, 81 per cent. of the pig-iron, 76 per cent. of the oats, 74 per cent. of the wheat, 68 per cent. of the cotton, 66 per cent. of the tobacco, 60 per cent. of the hay, 57 per cent. of the forest products, 56 per cent. of the wool; and contained 82 per cent. of the swine, 77 per cent. of the mules, 74 per cent. of the horses, and 73 per cent. of the cattle, other than working oxen and milch cows.



Their total grain product during the last census year was as follows, in bushels:

Indian corn	1,558,358,656
Wheat	342,230,515
Oats	310,271,709
Barley	18,888,089
Rye	13,947,824
Buckwheat	5,082,580
Total	2,248,779,373

In other words, the States and Territories tapped by the navigable portions of the Mississippi River system produced grain to the extent of 44 bushels for every man, woman, and child, as enumerated in the census of 1880. They are, then, not only the granary of the nation, but of the world.

And, Mr. Chairman, it is with pride as well as pleasure I take this opportunity of saying that our esteemed friend, Colonel Anderson, could not and did not forget to mention this canal improvement, and I now read his concluding statement:

In addition to this grand showing for the mighty Mississippi, the Michigan and Mississippi Canal, 74 miles long, will connect this great river water-way system with our inland lakes—over 2,000 more miles of water-way—it will cost the people of the United States only \$5,000,000 to build it entire, and it will save to the people in return each year, on freight, not less than \$50,000,000. And the Dixon Sun with heart and soul says, Let Congress, for the people, build it, and build it promptly!

Mr. Chairman, I ask in all candor if there ever was a canal constructed by the hand of man upon God's "green earth" that formed a link by its construction, and thus connected navigable waters, that did not prove worthy and meritorious? Hence is it rash to conclude that if you will build this canal its benefits to commerce are guaranteed and certain? Take for example and by way of illustration its twin sister, the Saint Mary's Falls Canal, which connects two great waters of the lakes. It was constructed by a donation of Government land, like many railroads constructed by the same aid, and is to-day a private corporation. And be it said to the honor and manliness of the people of that section they are praying to have Congress make an appropriation and purchase it, so that it will be a free water route, and then they will not be burdened by its toll charges. That canal was constructed and put in operation in 1855, and the following table will show its increase in transportation in twenty years; and allow me to say this is no Munchausen dream, for I was furnished this statement by the Civil Engineers Department a few days since:

*Tonnage carried through Saint Mary's Falls Canal; registered tonnage used to 1880 inclusive, freight tonnage since.*

1855	100,000	1871	750,000
1856	100,000	1872	920,000
1857	180,000	1873	1,200,000
1858	225,000	1874	1,060,000
1859	350,000	1875	1,200,000
1860	400,000	1876	1,540,000
1861	280,000	1877	1,440,000
1862	390,000	1878	1,660,000
1863	510,000	1879	1,690,000
1864	570,000	1880	1,740,000
1865	420,000	1881	1,560,000
1866	460,000	1882	2,030,000
1867	590,000	1883	2,290,000
1868	440,000	1884	2,870,000
1869	525,000	1885	3,260,000
1870	690,000		

This tonnage, if oats, would be 203,750,000 bushels; if corn, would be 116,428,571 bushels; if wheat, would be 108,666,666 bushels.

Mr. Chairman, the report of our Committee on Railways and Canals that I have read in my opening remarks shows conclusively that no water improvement of any kind, no matter where located, has received the indorsement that this one has. But as the Produce Exchange of New York is one of the largest and oldest commercial bodies of this country I wish to call particular attention to their action and memorial.

*To the board of managers of the New York Produce Exchange:*

Your committee on trade, to whom has been referred the question of application to Congress for the building of the Hennepin Canal by the United States, have given to this subject the attention demanded by its important bearing on the internal commerce of the country, and respectfully report as follows:

In the opinion of your committee there can be little, if any, question that the proposed opening of a water way from the Mississippi River to the Illinois and Michigan Canal and the great lakes promises highly advantageous results not only to the Northwest States but to the whole northern country east of the Mississippi River. Besides furnishing new means of transport to the Atlantic seaboard for the produce of Iowa, Minnesota, Nebraska, and other grain-producing States, such a canal would also act as a welcome regulator of railroad freights in the Northwest.

There can be little question, also, that neither private enterprise nor the State of Illinois, within whose territory the canal would be situated, nor any other State directly benefited, nor all these combined, will or can undertake an enterprise which is sure to meet the determined opposition of the railroad interest.

The question before us therefore simply is: Shall the United States build and maintain this canal, and can this exchange, in view of the well-grounded opposition to the policy of internal improvements in general, consistently recommend such action on the part of the General Government?

After mature consideration your committee have come to the conclusion that this question should receive an affirmative answer from your board, and for the following reasons:

The ground on which the Hennepin Canal is to be built has been repeatedly surveyed with a view to that improvement by the United States Government and by other competent parties. The practicability of the project has been established and the cost has been reliably ascertained. The scheme therefore can not be classed with a large number of internal improvements annually brought before Congress, which are indefinite in their scope and in the results expected, and of uncertain cost.

The Hennepin Canal further differs from many of those proposed improve-

ments in so far as it is sure to benefit a very large section of the country, our own State included. The General Government, further seems to be committed to an extensive improvement of the Mississippi River, of which the Hennepin Canal may justly be considered part and parcel; and the fact that its construction would inure to the benefit of the Northern States east of the Rocky Mountains only strengthens its claim on the whole country, which for a long time to come is, according to the policy already adopted, to be taxed to the improvement of the Mississippi River in its southerly course. Your committee therefore feel justified in recommending to your board the adoption of the following preamble and resolutions:

Whereas the completion of a water way from the Mississippi River to Lake Michigan by the construction of the Hennepin Canal promises to realize advantages of national importance; and

Whereas there are insuperable obstacles in the way of having such improvement carried out by private enterprise or by the States immediately benefited; and

Whereas the building of the Hennepin Canal may justly be regarded as part of the improvement of the Mississippi River; Therefore,

Resolved, That in the opinion of the New York Produce Exchange the United States Government should undertake to build the Hennepin Canal and to maintain the same free for all time to come.

And further resolved, That our Senators and Representatives be requested to join the Representatives of other States in providing the necessary legislation for carrying out this plan.

L. F. HOLMAN,  
Chairman.  
JOHN SINCLAIR.  
WALTER CARR.  
SAM'L S. CARLL.  
GUSTAV SCHWAB.

NEW YORK, December 19, 1881.

Mr. Chairman, I fear I have committed waste upon your patience, and my only apology is my zeal and earnestness. I have long since been impressed with the importance of this canal project; that impression has grown into a conviction; and in conclusion I thank you most sincerely for your indulgence and beg of members on this floor to vote for this bill, for our Government in the past has shown a genius for improvement aided by many practical ideas, an indomitable industry that has electrified the world. Will she now sit idly by and allow natural commerce, that by right of legitimacy belongs to her, to be lost by inaction? If she does, that monument of honor and glory which proudly stands in this city, and was erected by the hand of progress, will crumble into dust and return to mother earth that bore it.

Mr. ROWELL. Mr. Chairman, I do not think there is any danger of overestimating the importance of this transportation question. My friend on the right asks me if I meant to say there was no danger of the passage of this bill. If I thought there was no chance for its passage I would not waste breath in talking about it to the House.

To my mind upon the wise solution of this question of transporting freight throughout the United States depends the future prosperity of this country. If there was any possibility of turning a question of this character into a partisan one by which votes could be lost or won, then there would not be any question of the attention of this House to the discussion upon this bill, every man's ears would be open and every man seeking to understand the question involved. But because this is purely a business question affecting the pockets and the prosperity of the people, out of which by no possibility can grow partisan politics, we become indifferent and drift apart, and so cast our votes upon the final issue without a real understanding of the merits of the case.

Our railroad system, the wonder growth of the nineteenth century, has opened up the great wilderness of the United States. It has peopled this vast country with the freest and most intelligent people the world knows anything about. It has brought into neighborly intercourse the people on opposite sides of the continent. It is breaking down the barriers of provincial civilization and molding us into a homogeneous people. But with this system which has done so much for the United States and for all the world, with this miracle-working system have come those evils which always go hand in hand with the greatest good. I never knew in all my personal observation or in my reading a blessing to be conferred upon humanity without finding right by the side of it a curse; and the business of legislation is to minimize the evil and get the most out of the good. Competition in most instances between railways alone has proved a failure as a safe regulator of charges.

The facility for combination and the skill of railway management have been too strong to permit the benefits expected in this direction.

Railroads are in the very necessity of the case monopolies. You can not make anything else out of them. The cost of construction, the immense consolidation of capital necessary to build a long line of road, makes a pre-emption of the country through which it goes not only possible but necessary. Legislation thus far has proved without effect in the way of controlling this monopoly and preventing it from having its natural growth—the natural growth of the power of consolidated wealth, the natural growth of the power arising from the pre-emption of any particular section of the country and the absolute control of the commerce and trade and traffic that pass across it.

While I do not despair of beneficial results from legislation yet to be had, I am quite sure we must seek it in other channels than those now advocated before any real relief will be had.

One solution and one only thus far has presented itself to the American people. Wherever water transportation has been made effective it has solved the whole question of cheap transportation and has been worth volumes of statutes upon that question. Wherever railroads

have been obliged to compete for traffic with water routes this question has always settled itself.

Chicago has become the metropolis of the great West because located at the lower end of Lake Michigan, with a complete water course through the great lakes and the Erie Canal to the Atlantic seaboard. It has been able to gather in the great grain crops of the Northwest, in order that they might obtain the advantages of water competition thence to the markets of the East and the Old World. All over the Western country freights take the shortest routes to Chicago. You do not need legislation to control the railway traffic from thence to the Atlantic.

The lakes and the canal control whenever the summer months melt out the ice and allow competition between the water ways and the railways; and we get the benefit of it largely in the winter as well as in the summer. Because of the fact that the lines of railway extending eastward from Chicago and paralleling those lines farther north and farther south—because those roads have to compete in the summer, they are compelled to study cheaper methods of transportation, they are compelled to economize, to straighten out their lines, to make smaller grades, and to do all those things that wise men may do to enable them to compete with the lake routes and still make dividends for their stockholders. And so in the winter, where the water ways are ice-bound, we get the benefit of that economy; we get the benefit of the study of the railway men to make profits and to cheapen railway transportation. So all through the West we have the unparalleled low rates of transportation from Chicago, and the only trouble is when you get beyond and out of the line of water-route competition.

Now, the proposition of this bill is simply to extend Lake Michigan 500 miles westward to Saint Paul. That is the whole of it. When you figure it all down, when you strip it of all outside issues, and get away from the multitude of figures that only confuse the mind, the simple question for this House to pass upon is whether it is worthy of the attention of the United States and of the American Congress to consider the question of moving Lake Michigan 500 miles into the interior and penetrating the very heart of the great wheat fields of the Northwest. That is all there is of it. You build a canal almost straight from the southern end of Lake Michigan to the Mississippi River, and then for 400 miles more you pass up with good transportation to Saint Paul. There you are in the center of another railway system that brings there the great grain crops of all the Northwestern country.

It is 500 miles more of water competition—I will not say transportation, for I believe—and I propose to deal with all questions fairly—I believe that in the future the great body of the crops of the West moving eastward and the products of the East moving westward will be transported by rail as they are to-day. To my mind, it does not make any difference whether there is only one canal-boat a day passing over that canal, or whether there are a thousand, any more than it makes any difference whether Lake Michigan is whitened with the sails of commerce or whether the sight of a schooner is only occasionally presented to us there. So long as the lakes exist, so long as the Erie Canal is open, just so long will the price of freighting eastward be very largely controlled by the cost of freighting around by the water ways. And the same is true of Saint Paul and all the tributary country along the line between Saint Paul and Chicago. So long as you have this cheap canal across from the lake to the river, and so long as you have the Mississippi open for barge and steamboat transportation to Saint Paul, just so long will it be impossible for those who control any other method of transportation to charge much more than the cost by the water way. Therefore if you build this canal it becomes the regulator of railroad rates 500 miles farther westward into the very heart of that country which supplies the East and the Old World with bread; it necessarily cheapens the cost of that transportation, and if it does that it adds something to the profit of the farmer, it takes off something from the cost to the consumer, and all the people, producers and consumers alike, are benefited by the lessened cost of producing and carrying to market. It may be said that this is a State enterprise, and that Illinois ought to build this canal. We know, as matter of history, that New York built the Erie Canal, and because New York built that canal we may be told on this floor that Illinois ought to build this canal to the Mississippi. I call the attention of gentlemen to the fact that the circumstances in the two cases are entirely different.

The Erie Canal was built before the days of railroads. I remember, when a boy, emigrating to the Western country, passing across the whole State of New York upon the Erie Canal, and I never lost the impression that I received then of the magnitude of the great West from seeing the tremendous amount of commerce that was passing over that canal at that time. When the Erie Canal was built all Western New York, as well as the farther West, was shut out from market. Its building brought the richest part of the State of New York into a condition to be settled upon and made productive, but it did more than that. It directed the commerce of all the great West down to New York city and made that city the commercial metropolis of the New World.

But, Mr. Chairman, suppose that canal did not exist, and this House were asked to build a canal across the State of New York, I ask gentlemen upon this floor, in view of all that canal has done, and all that

it is doing, in the way of cheapening traffic between the East and the West, could there be any reason offered here against its construction except that it would take some money out of the Treasury? Who of us would consent that the project should be abandoned? Who that represents the great State of New York upon this floor would for a moment consent that that great water way, which conveys the commerce of the West down to the seaboard at New York city, should be closed up, even if the Congress of the United States had to be called upon to appropriate money to keep it open? It does not need, as I have already said, that all this commerce, or even the most of it, shall go by the canal; it does not need that the railways shall cease to carry the great bulk of that commerce; it simply needs that there shall be in existence a water way on which boats can float; then, because of the existence of that water way, the railroads must conform their charges to the rates established by its competition.

Why, Mr. Chairman, it is within your memory and mine—it is only a few years ago—that the railways of Illinois traversing that State parallel with the line of the Illinois River and Canal put their freights down so low that the canal could not pay expenses; the purpose being to close it up and force its abandonment so that it should no longer compete with them. Immediately the Legislature of the State appropriated a certain sum of money to keep up that canal. Every year from that time such an appropriation has been made, but not one dollar of it has ever been called for or used in keeping up the canal, because when the power of the State was found to be behind it there was no railroad company so foolish as to suppose that it could be broken down by competition, and thenceforward they have been satisfied to take such reasonable rates as water competition has compelled them to accept.

Mr. Chairman, I have no more interest in this canal than any other member upon this floor. No portion of my district is within 80 miles of it; no portion of the products of my district will ever be transported over it, unless the great Northwest shall cease to compete with us in feeding the world. This canal simply crosses the State of Illinois. We have the lakes. They influence freight all over the north half of our State, whether the roads run into Chicago or whether they do not. This canal is to do for the wheat-fields and the corn-fields of Iowa, Nebraska, and Minnesota what the lakes and the Erie Canal have done for the wheat-fields and corn-fields of Illinois. That is all there is of this canal. It is a national enterprise. If it is to the interest of New York and New England to send the products of those States into the Northwest, if it is to the interest of Pennsylvania to send her coal and her iron into the Northwest, it is also to the interest of the eastern half of this country to get the wheat, and corn, and oats, and whatever other products the rich farms of that region yield, down to the seaboard with just as little toll as possible.

There is no part of this country that will not feel the effects of such cheapening of transportation as will be effected by penetrating inland into the great wheat-fields 500 miles more. Chicago may get some special benefit by the increased business brought there. Our local labor market may be benefited, and I hope it will be; but these are only incidental advantages, which do not change the national character of the enterprise.

I can see no objection that any gentleman can raise if he admits the premises. If he admits that the building of this canal will cheapen transportation to the extent of a fraction of what is claimed by the special friends of the bill, he admits the whole case, unless he has constitutional objections to building any public improvement at the expense of the nation. I say when that is admitted that is all there is of the case.

Wherever ship-canals have been built, wherever navigable rivers come in conflict with railroad transportation, the things which I claim for this canal have taken place. Why, sir, in the discussion of the question of regulating railroad freights, when we propose to fix a certain rate we are met with the objection that wherever the railroads come into competition with the water ways they must have the privilege of cutting down their rates in order to get traffic. So it is everywhere. Take the city of Peoria, in which my colleague, Mr. WORTHINGTON, resides, the second city in the State of Illinois in population, in wealth, and in business. Why, its great distilling interests, the largest in the United States, have been built up because Peoria is in direct water communication with the Atlantic seaboard.

[Here the hammer fell.]

The CHAIRMAN. The hour within which this bill may be considered under the rule has expired, and the Committee of the Whole will rise.

Mr. ROWELL. I reserve the residue of my time.

The CHAIRMAN. The gentlemen has ten minutes of his time remaining.

The committee rose; and the Speaker having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 5869) to provide for the acceptance by the United States of the proposed grant of the Illinois and Michigan Canal, and all its appurtenances, from the State of Illinois, and for the construction of the Illinois and Mississippi River Canal, and had come to no resolution thereon.



## ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 150) to quiet title of settlers on the Des Moines River lands in the State of Iowa, and for other purposes;

A bill (H. R. 3827) to remove the political disabilities of Thomas L. Rosser, of Virginia;

A bill (H. R. 3846) to remove the disabilities of Alexander P. Stewart, of La Fayette County, Mississippi; and

A bill (H. R. 4409) to remove the disabilities of Edward G. W. Butler, of Missouri.

## LEAVE OF ABSENCE.

Mr. PRICE, by unanimous consent, obtained leave of absence for ten days, on account of important business.

## PENSION APPROPRIATION BILL.

Mr. TOWNSHEND. I move that the House resolve itself into the Committee of the Whole on the state of the Union for the purpose of considering the pension appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. CRISP in the chair), and proceeded to the consideration of the bill (H. R. 5201) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1887, and for other purposes.

The bill was read.

Mr. TOWNSHEND. Mr. Chairman, it is perhaps proper that the report of the Committee on Appropriations, which accompanies this bill, should be read.

The CHAIRMAN. The report will be read.

The report (by Mr. RANDALL) was read, as follows:

The Committee on Appropriations, in presenting the bill making appropriations for the payment of invalid and other pensions for the fiscal year 1887, submit the following in explanation thereof:

The estimates upon which the bill is based will be found on page 149 of the Book of Estimates for 1887, and amount to \$75,830,200.

The accompanying bill appropriates \$75,754,200, apportioned as follows:

For the payment of pensions.....	\$75,000,000
For fees and expenses of examining surgeons.....	500,000
For salaries of pension agents.....	72,000
For clerk-hire.....	150,000
For rents.....	20,000
For fuel.....	1,200
For lights.....	2,000
For postage, stationery, and incidentals.....	9,000

The amount for payment of pensions is increased over the sum appropriated for 1886, \$15,828,000.

The amount for examining surgeons is the same as was given for the current year.

The salaries of pension agents is fixed by law; consequently no change is made in the amount for their compensation as compared with the sum given for 1886.

A reduction of \$73,800 is made under the sum which was given for 1886 for clerk-hire, rent, fuel, lights, postage, stationery, and incidentals for agencies, in accordance with the estimates submitted and the law approved March 3, 1885 (Statutes at Large, volume 23, page 362).

No reduction is made in any item of the estimates except that for fees of examining surgeons, which is reduced \$76,000, and made to conform to the sum given for 1886 for that service.

The total increase of the bill over the amounts appropriated for 1886 is \$15,754,200.

The provisions of the bill are based upon existing law, and without regard to any legislation that may hereafter be enacted.

The bill contains no new legislation.

## REFERENCES.

Section 4755 of the Revised Statutes provides that Navy pensions shall be paid out of the "Navy pension fund," upon an appropriation by Congress, so far as the same may be sufficient.

The naval pension fund at present amounts to \$14,000,000, bearing interest at the rate of 3 per cent. per annum, and is created under the provisions of sections 4751 and 4752 of the Revised Statutes.

The payments on account of Navy pensions during the fiscal year 1885 aggregated \$850,135.84.

The compensation of pension agents is fixed by the act of June 14, 1878 (Supplement to the Revised Statutes, pages 347 and 348), by the act of July 4, 1884, and by the act of March 3, 1885 (Statutes at Large, volume 23, pages 99 and 362).

The compensation of examining surgeons is fixed at \$2 for each examination by section 4 of the act of July 25, 1882 (Statutes at Large, volume 22, pages 175 and 176), and the act of March 3, 1885 (Statutes at Large, volume 23, page 362).

Number of pensioners on the roll, annual value of pensions, and disbursements on account of pensions, 1879 to 1885, inclusive.

Years.	Number of pensioners on the roll.	Annual value of pensions.	Disbursements on account of pensions as reported by the Treasury.
1879.....	242,755	\$25,493,742 15	\$35,121,482 39
1880.....	250,802	25,917,906 60	56,777,174 44
1881.....	268,830	28,769,967 46	50,059,279 62
1882.....	285,697	29,341,101 92	61,345,193 95
1883.....	303,658	32,245,192 43	66,012,573 64
1884.....	322,756	34,456,600 35	55,429,228 05
1885.....	345,125	38,090,985 28	56,102,267 49

## DEPARTMENT OF THE INTERIOR, PENSION OFFICE.

Washington, D. C., January 27, 1886.

SIR: I have the honor to acknowledge the receipt of your request of to-day for a statement giving the amounts expended each year from 1879 to 1885, inclusive, and properly chargeable to the acts of January 25 and March 3, 1879.

In response, I have to submit the following:

1879.....	\$3,797,646 89
1880.....	12,504,075 50
1881.....	25,962,259 81
1882.....	28,200,119 88
1883.....	34,741,580 50
1884.....	22,451,967 25
1885.....	26,842,302 84
Arrears paid to June 30, 1885, in cases on roll January 25, 1879.....	24,904,890 87

Total..... 179,404,872 00

Very respectfully,

JOHN C. BLACK,  
Commissioner of Pensions.

Hon. SAMUEL J. RANDALL,  
Chairman Committee on Appropriations,  
House of Representatives.

Mr. TOWNSHEND. Mr. Chairman, the Committee on Appropriations has instructed me to present to this House the bill making provision for the payment of all invalid and other pensions for the fiscal year ending June 30, 1887.

This bill, with the exception of the salaries of the clerical force employed in the Pension Office at Washington, appropriates the money to pay the allowances granted by law to all pensioners of all wars.

The committee has recommended that \$75,754,200 be appropriated for the items mentioned in this bill, as follows:

For the payment of pensions.....	\$75,000,000
For fees and expenses of examining surgeons.....	500,000
For salaries of pension agents.....	72,000
For clerk-hire.....	150,000
For rents.....	20,000
For fuel.....	1,200
For lights.....	2,000
For postage, stationery, and incidentals.....	9,000

This sum increases the amount appropriated at the last session for the present year \$15,828,000. This increase is rendered necessary by the accelerated disposition of the immense number of claims which have for years accumulated in the Pension Office, and does not mean any actual increase in the ultimate cost of the pension-roll. In fact, the sooner the pending claims are disposed of, although for the time being the aggregate amount is swollen in size, yet economy will be accomplished, because then the clerical force and other expenses attending the adjustment of claims are proportionately decreased. The Commissioner of Pensions assures me that with the present rapid progress his office is making in the disposition of claims he expects within twelve months to finish the consideration of all of the 171,000 claims he found pending in the office when he was appointed last March. This demonstrates that the efficiency of the force in the Pension Office has greatly improved. It is far better for the claimants and the Government that applications should be disposed of as quickly as possible.

The amount for examining surgeons is the same as was given for the current year, but the estimate for the incoming year has been reduced by the committee \$76,000, because it believes that the sum which was appropriated for the present year will be sufficient to pay the fees of the examining surgeons for the next year. This is the only reduction made in the estimates of the Department.

The provisions of this bill are based upon existing law and without regard to any legislation that may hereafter be enacted.

In view of the severe criticism upon the legislation of Congress concerning pensions and other claims of soldiers it is proper that I should now devote some attention to the subject.

The sum of money appropriated by this bill is large, but it should be and no doubt will be as cheerfully sanctioned by Congress and borne by the people as the expenditure of any other money out of the national Treasury.

The account with the heroes of the Revolution and their widows has been closed by death. Beginning, therefore, with the war of 1812, this bill includes the pensions allowed to all soldiers of all the wars of the Republic. It is indeed a sacred debt, it being the pecuniary compensation we acknowledge that we owe the soldier for the crippled limb or diseased constitution with which his services to his Government afflicted him. It covers what the Government promises to pay the widow for the life of her husband, the orphan for a father, and a dependent parent for a son.

It is true this bill makes a larger appropriation of the public money than any other which comes before Congress; but, sir, no appropriation is more just, and no money paid out of the Treasury accomplishes more general good than the money expended by this bill. The money thus appropriated is not hoarded up in bank vaults or taken out of the channels of commerce. It is at once put in circulation in every section of the land. A vast majority of pensioners are poor. Necessity compels them quickly to part with the price of their sufferings. Bakers, butchers, merchants, doctors, lawyers, bankers get a share of it. This money quickens trade and dispenses a degree of prosperity throughout the land.

The best use that can be made of the vast surplus in the Treasury will be to pay it out upon meritorious claims for pensions and other

just dues to the soldier. Who can doubt the justice of their claims upon the liberality of the nation or estimate the value of their services. The Mexican veterans endowed this Republic with a larger domain and more wealth than resulted from the war of any other country in any age. California, Nevada, Utah, Colorado, New Mexico, and Arizona, with all their wealth, were purchased with the blood and sufferings of the Mexican soldiers, and yet when in their poverty and old age they appeal for but a pittance of the incalculable wealth they have bestowed upon their country, and at a time when its Treasury is filled with millions it can not use, their appeal is ungratefully, yea, shamefully, disregarded.

What has been done for the Union soldier for his suffering and sacrifices during the late war? Only one-tenth of the number who enlisted have been allowed a pension. The equalization of bounties and their claims for arrears of pension remain unsettled. Not an acre of land has yet been given to him out of the public domain, although more than twenty years have elapsed since the close of the war.

Sir, some insist that danger to our financial standing is threatened by the prospect for payment of such claims of the soldiers. I do not believe it. The financial soundness of no man or nation can be injured by provisions for the payment of just debts. On the contrary such a course strengthens financial stability and increases substantial prosperity.

The money paid on the claims of soldiers is not lost to the country. We simply take it out of the Treasury, where it can do no good, and put it in circulation, where it is greatly needed.

One of the measures against which the loudest outcry is raised and the strongest prejudices are sought to be made against all pension laws is that which proposes to repeal the limitation upon arrears of pensions in claims filed since July 1, 1860. The opposition to that measure is most intense and unrelenting from the moneyed classes who received the richest benefits from the results of the late war.

Sir, I insist that the measure so clamorously assailed can be maintained upon the soundest principles of justice, and its enactment is demanded by good faith and patriotism.

What is the nature and effect of that measure? If adopted it will simply place applicants for pensions who have filed their claims since July 1, 1860, upon the same footing with those who applied before that date, and in all cases when the claim is allowed it grants arrears from the date of discharge. Why should such a discrimination be made? Why should he who filed his claim on June 30, 1860, and before receive arrears of pay extending back to the date of discharge, while pensions allowed in equally as meritorious cases filed next day and since shall only commence from date of allowance?

Why should the applicant living in this city, and who did not prepare his claim until June 30, and put it into the Pension Office a few moments before the close of the office that day, receive arrears, but the soldier living in Illinois, who prepared and put in the mail his claim on the same day, be denied the arrears, as has been held by the Government officials? If as we know in many instances a soldier able to live without a pension refrains from burdening his Government with his claim, but when old age overtakes him or poverty commences to pinch and he finds a need for the help of the Government which he helped and saved in the days of its distress, or as in other cases where the seeds of disease planted during his service have ripened into a disability which deprives him of the strength to maintain himself or family—tell me wherein lies the justice of the law which denies the soldier's right to arrears in such instances?

Sir, the answer is irresistible that the claims of all pensioners to arrears is just, and that the Government has by the act of 1879 already committed itself to the policy of paying them.

The only answer made to these inquiries is that it will cost too much money to pay the arrears. This was the sole ground of opposition to the bill equalizing the bounties of Union soldiers, and resulted in the ultimate loss of the bill passed for that purpose by both Houses of Congress. Sir, the paramount question should be not what such measures will cost, but are they just? This Government will fall from its proud height as the grandest in the world if it shall fail to be just to all classes. If it can, as it has done, afford to be just to its creditors it can afford to be just to its soldiers. In 1869 Congress passed one short bill giving the creditor a bond payable in coin worth par in specie in lieu of a bond payable in greenbacks then worth only 75 cents on the dollar, thereby granting a bounty to the bondholder to the extent of \$600,000,000. This bounty, unlike that due the soldier, had not been promised to the bondholder when he loaned his money to the Government.

After thorough consideration of the data found in the Departments the highest estimate placed upon the aggregate cost of arrears of pension under the laws now on the statute-books and that proposed in the bills now pending does not exceed four hundred and eighty-three millions. Now, sir, if you should add to this the cost of equalizing the bounties of the Union soldiers the whole sum would not exceed the bounty granted to the bondholders by the law of 1869.

There were two classes who were directly instrumental in the preservation of the Union during the late war: The bondholder and the soldier. Cupidity was the motive of many of the former; patriotism was

the motive of the latter. The first class loaned their money to the Government; the latter class loaned their lives. The bondholder has not only been made whole by repayment of every dollar of the principal, but he has received enormous usury or bounty, if you please. We can never make the soldier whole. We can never repay him for his loan and sacrifices. The manly form which left the side of a loving wife and the care of dependent children, and who fell defending that flag on the battlefield, can never be restored to the desolate home he left behind him. Can we ever restore the crippled limbs and shattered health of those who escaped death in the hospital or on the field? No! And yet when measures are proposed to pay what was promised the soldier at the time his help was called for those who advocate such measures are denounced as demagogues.

The young soldier whose bones whiten a Southern battlefield can never be restored to a heart-broken widowed mother who was dependent on him for protection and support.

Sir, the advocates of popular rights have in all countries and in all ages been denounced by the oppressor as a demagogue. Every noble name which this country has added to the roll of fame has been denounced as a demagogue. It is a word which, when unjustly applied, has ceased to be a stigma. Call me a demagogue if you please, but do not call me unjust or ungrateful.

The charge of demagogism, if true, should visit condemnation on him who is guilty of it; but, sir, he is a white-robed angel compared with the execrable demon of private or public ingratitude.

Let us for a few moments see how the account stands between the Government and the two classes I have mentioned, the bondholder and the soldier.

A very interesting table is appended to the report of the Commissioner of Pensions, which shows what has been paid to the bondholder for the use of the money he loaned, and what has been paid the soldier, his widow and orphans, for life, limb, and health.

It is as follows:

TABLE 25.

Year.	Pensions.	Interest.
1862.....	\$852,170 47	\$13,190,344 84
1863.....	1,078,513 36	24,729,700 62
1864.....	4,985,473 90	53,685,421 69
1865.....	16,347,621 34	77,395,090 30
1866.....	15,605,549 88	133,067,624 91
1867.....	20,936,551 71	143,781,591 91
1868.....	23,782,386 78	140,424,045 71
1869.....	28,476,621 78	130,694,242 80
1870.....	28,340,202 17	129,235,498 00
1871.....	31,443,894 88	125,576,565 93
1872.....	28,553,402 76	117,357,839 72
1873.....	29,359,426 86	104,750,688 44
1874.....	29,038,414 66	107,119,815 21
1875.....	29,456,216 22	103,093,544 57
1876.....	28,257,395 69	100,243,271 23
1877.....	27,963,752 27	97,124,511 58
1878.....	27,137,019 08	102,500,874 65
1879.....	35,121,482 39	105,327,949 00
1880.....	56,777,174 44	95,757,575 11
1881.....	50,059,279 62	82,508,741 18
1882.....	61,345,193 95	71,077,206 79
1883.....	66,012,573 64	51,436,709 50
1884.....	55,429,228 06	47,926,432 50
1885.....	65,733,094 27	47,014,133 00
Total.....	765,092,640 18	2,205,019,419 19

The Commissioner failed to add the six hundred millions donated to the bondholder by the law of 1869. But that distinguished soldier and accomplished gentleman, bearing upon his body ghastly wounds received in defending the flag, who presides over the Pension Bureau, most aptly comments on this table as follows:

It will be seen that the sum of \$2,205,019,419.19 has been paid from 1862 to 1885 on the interest of the public debt, while that paid for pensions during the same period amounts only to the sum of \$765,092,640.18, showing an excess of the former over the latter of \$1,439,926,779.01. The citizens may well be proud of both sides of the showing and alarmed at neither.

It is well to think that the great wealth of the land is in close league with its patriotism, and that as the former volunteers now gladly contribute to the national resources, so the nation ungrudgingly bestows its pledged support to its former defenders who are now disabled.

Now permit me to quote the language of a profound thinker, one of our ablest living statesmen and one of the most trusted and trustworthy counselors of the President—the Secretary of the Interior. Hear what he says in his report in comment on this table:

I know of no burden of Government that is more cheerfully borne than that of the pension system. I concur fully in all efforts to demonstrate that it is universally regarded as a noble beneficence, and in the view that when well and cleanly administered it is noble in its purpose and good in its results, diffusing with liberal and just hand the wealth of a wealthy people among those who suffer from the strokes of war and have become impoverished by its misfortunes.

From a statement in the report of the Commissioner it appears that the amount of money paid as pensions does not equal the amount of interest paid upon the public debt incurred during the war. So long as the premium paid to those who contributed the money exceeds that paid to the defenders of the country, I think the complaint of excessive pensions is not well founded.



These gentlemen as well as all who demand justice for the soldier are classed as demagogues by many of those who received the largest gains from the sacrifices and sufferings of the soldier.

Sir, as a citizen of this grand Republic I am proud to know that it matters not what political party may administer the executive department of this Government the interest of the soldier is safe. I sincerely trust that our legislation will soon prove that the interests of all the soldiers of all the wars of the Republic can safely be intrusted to this Congress.

As I have already said, you can not make the soldier whole for his sacrifices in the time of war. This could not be done if we should pass the Mexican pension bill, the arrears-of-pension bill, the bill equalizing bounties, or the bill I have heretofore introduced granting the Union soldier a bounty-land warrant, as has been done with the soldiers of all previous wars, or even if you should do for him what practically Congress has done for the bondholder, make good the difference in value of his monthly wages, which was promised him to be paid in specie, but which he was compelled to accept in greenbacks, at times only worth 60 per cent. in specie.

Much complaint has been made by pension examining surgeons because of delay in the payment of their examining fees. This delay has been occasioned by a construction placed upon the law by the Treasury Department as far back as 1871 by Auditor Rutherford, and reaffirmed by the Treasury officials in 1878, in which it was held that "payments for pension surgeons' fees, &c., should be paid for all time due and claimed out of money appropriated for the fiscal year in which the voucher is presented and paid."

Since then the practice has been to pay the arrears due pension examining surgeons for services rendered in any previous year out of the money appropriated for the payment of fees for services rendered during the current year for which the appropriation was made. By reason, therefore, of the use of money intended for services rendered during the present current year being paid on the claims of services rendered by surgeons in the last and previous years the pay of the present surgeons has been postponed until additional appropriations are made. This decision imposes a hardship upon the present force of examining surgeons, and I do not believe it is a proper construction of the law. Section 3690 of the Revised Statutes provides that appropriations for any fiscal year "shall only be applied to the payment of expenses properly incurred during that year." I do not believe that the fees of pension examining surgeons can properly be made an exception to this statute.

In order to obviate this trouble in the future it is submitted that the better course will be to confine the appropriations of the current year to the payment of services rendered during that period, and provide for any arrears due for services in past years by a direct appropriation in the general deficiency bill. In order that this may be done I shall offer an amendment directing how the money appropriated by this bill shall be used.

At the end of line 39 insert:

And all money appropriated by this act other than for the payment of pensions shall be disbursed subject to the provisions of section 3690 of the Revised Statutes of the United States.

I ask that the following tables, taken from the report of the Commissioner of Pensions, may be appended to my remarks:

TABLE 12.—Statement of the number of each class of Army pension claims filed since 1861 on account of disability or death from causes originating since March 4, 1861; also the total number admitted of each class named, arranged according to State or Territorial military organizations.

States and Territories.	Invalids.		Widows.		Minor children.		Mothers.		Fathers.		Total of all classes.		Number of men furnished by each State, Territory, and District of Columbia, from April 15, 1861, to close of war.	
	Number filed.	Number admitted.	Number filed.	Number admitted.	Number filed.	Number admitted.	Number filed.	Number admitted.	Number filed.	Number admitted.	Number filed.	Number admitted.	Number of men furnished.	Aggregate reduced to a 3 years' stand.
Alabama.....	469	81	294	156	127	82	72	26	16	.....	978	345	2,556	1,611
Arkansas.....	451	337	920	226	472	350	160	59	30	5	3,033	977	8,289	7,836
California.....	736	233	98	32	22	13	42	19	9	2	907	299	15,725	15,725
Colorado.....	551	211	70	30	25	13	25	7	6	2	677	263	4,903	3,697
Connecticut.....	7,666	5,435	2,888	2,207	904	776	1,148	750	250	74	12,856	9,242	55,864	50,623
Delaware.....	1,311	715	400	253	117	98	201	125	49	11	2,078	1,202	12,284	10,322
Florida.....	167	19	118	69	51	30	25	6	3	.....	364	124	1,290	1,290
Georgia.....	24	2	13	5	2	.....	5	1	1	.....	35	8	.....	.....
Illinois.....	53,245	30,377	15,829	10,590	7,435	6,088	5,341	2,766	1,729	430	83,479	50,251	259,092	214,133
Indiana.....	48,785	27,442	14,107	9,037	6,474	5,441	4,152	2,187	1,246	301	74,764	44,408	196,363	153,576
Iowa.....	20,445	12,260	5,812	4,350	2,757	2,423	2,141	1,044	778	181	31,933	20,258	76,242	68,630
Kansas.....	4,416	2,085	1,217	694	622	457	371	152	90	19	6,716	3,407	20,149	18,706
Kentucky.....	17,243	6,390	5,495	3,288	2,251	1,666	2,281	1,138	828	164	28,098	12,646	75,760	70,832
Louisiana.....	661	242	384	200	94	62	83	26	11	3	1,233	533	5,224	4,654
Maine.....	16,667	10,763	4,490	3,477	1,717	1,516	3,503	2,735	1,198	664	27,585	19,155	70,107	56,776
Maryland.....	4,809	2,251	1,432	855	398	294	646	351	157	38	7,442	3,789	46,638	41,275
Massachusetts.....	21,998	14,175	7,942	5,996	2,362	2,070	3,605	2,527	951	412	36,558	25,189	146,730	124,104
Michigan.....	21,211	11,170	6,531	4,850	3,082	2,663	2,510	1,433	820	212	34,154	20,338	87,364	80,111
Minnesota.....	5,753	3,105	1,257	839	594	517	523	295	222	76	8,349	4,822	24,020	19,693
Mississippi.....	134	6	49	11	19	5	15	4	.....	.....	217	26	545	545
Missouri.....	17,144	6,658	6,317	3,682	3,019	2,248	1,699	804	461	86	28,640	13,478	109,111	86,530
Nebraska.....	496	209	90	44	38	28	36	15	9	5	669	301	3,157	2,175
Nevada.....	52	18	1	1	.....	.....	3	1	1	.....	57	20	1,080	1,080
New Hampshire.....	7,635	5,127	2,610	2,096	860	723	1,303	923	464	174	12,872	9,092	33,937	30,849
New Jersey.....	10,196	6,006	3,246	2,254	1,101	904	1,201	803	238	72	15,982	10,039	76,814	57,908
New York.....	73,183	41,997	22,525	16,128	6,886	5,714	10,911	6,948	3,050	1,025	116,555	71,812	448,850	392,270
North Carolina.....	909	207	337	172	109	76	100	87	39	12	1,494	604	3,156	3,156
Ohio.....	62,724	31,517	16,640	10,138	6,226	6,118	6,508	3,730	1,771	453	93,869	51,956	313,180	240,514
Oregon.....	95	32	8	3	4	2	.....	.....	.....	.....	108	37	1,810	1,773
Pennsylvania.....	59,827	32,948	16,752	11,298	5,621	4,664	8,565	5,138	2,458	667	93,223	54,715	337,936	265,517
Rhode Island.....	2,492	1,360	907	674	268	219	398	262	73	25	4,138	2,540	23,236	17,866
South Carolina.....	40	3	13	4	1	.....	2	1	.....	.....	56	8	.....	.....
Tennessee.....	8,499	2,762	3,672	2,282	1,438	1,090	1,304	624	369	74	15,282	6,832	31,092	26,394
Texas.....	82	27	21	4	4	3	5	2	2	.....	114	36	1,965	1,632
Vermont.....	9,438	5,892	2,405	1,842	925	798	1,605	1,094	630	258	15,003	9,884	33,288	29,068
Virginia.....	58	25	17	10	7	4	12	8	3	.....	97	47	.....	.....
West Virginia.....	8,795	3,689	2,161	1,317	839	643	897	422	274	55	12,965	6,126	32,068	27,714
Wisconsin.....	21,194	12,076	5,615	4,052	2,472	2,138	3,373	1,275	864	228	33,518	19,769	91,327	79,260
Dakota.....	45	22	3	1	.....	.....	1	1	.....	.....	49	24	206	206
District of Columbia.....	424	177	210	125	47	37	71	52	20	9	772	400	16,534	11,506
Indian Territory.....	133	42	474	221	321	139	21	.....	4	.....	953	402	3,530	3,530
Montana.....	2	1	2	.....	.....	.....	.....	.....	1	1	5	2	.....	.....
New Mexico.....	58	25	45	26	3	2	16	9	3	.....	125	62	6,561	4,432
Utah.....	3	1	.....	.....	.....	.....	.....	.....	.....	.....	3	1	.....	.....
Washington Territory.....	20	7	2	.....	.....	.....	1	.....	.....	.....	23	7	964	964
United States Army.....	13,519	7,296	3,303	2,015	963	737	2,089	1,182	422	132	20,296	11,362	.....	.....
United States Volunteers.....	2,330	905	973	563	253	168	264	117	73	22	3,893	1,775	.....	.....
United States Colored Troops.....	12,635	3,780	11,470	4,963	2,996	1,595	3,543	883	606	58	31,250	11,279	93,441	91,789
Total.....	539,781	290,108	169,165	111,080	63,925	52,673	70,777	39,982	20,229	5,950	863,878	499,793	2,772,408	2,330,272

TABLE 13.—Appropriations and expenditures for the Pension Office each year since 1862, properly chargeable to the expenses of settling claims.

[Form A.]

Fiscal years.	Salary fund.		Expenses and per diem of special agents.		Contingent fund of the Pension Office.		Fees for examining surgeons.		Total amounts.	
	Appropriated.	Expended.	Appropriated.	Expended.	Appropriated.	Expended.	Appropriated.	Expended.	Appropriated.	Expended.
1862.....	\$82,340 00	\$113,746 04			\$15,000	\$4,221 39			\$97,340 00	\$117,967 43
1863.....	165,040 00	149,322 64	\$2,500		10,000	18,167 23		\$10,000 00	177,540 00	177,489 87
1864.....	185,840 00	210,335 76	2,500		15,000	16,544 77		50,000 00	203,340 00	276,880 53
1865.....	236,340 00	230,080 49	2,500		12,000	20,957 72		50,000 00	250,840 00	301,038 21
1866.....	257,920 00	246,367 45	2,500		15,000	17,891 97		50,000 00	275,420 00	314,259 42
1867.....	261,340 00	311,835 24	2,500		15,000	27,022 90		50,000 00	278,840 00	388,928 14
1868.....	257,920 00	357,487 17	10,000		22,000	27,394 21		50,000 00	289,920 00	434,881 38
1869.....	426,440 00	368,033 60	20,000		20,000	43,217 28		60,000 00	466,440 00	471,250 88
1870.....	334,240 00	334,592 90	25,000		15,000	39,811 70		40,000 00	374,240 00	414,404 60
1871.....	367,418 00	356,192 41	30,000		29,000	57,281 34		40,000 00	426,418 00	453,443 75
1872.....	421,160 00	436,772 26	40,000		17,000	57,550 53		50,000 00	468,160 00	544,322 79
1873.....	471,609 00	453,968 47	40,000		12,500	74,994 72	\$100,000	75,000 00	621,109 00	603,963 19
1874.....	445,580 00	446,051 78	40,000		12,500	74,099 55	100,000	75,000 00	598,080 00	596,051 13
1875.....	453,709 00	472,507 45	40,000		12,500	73,740 00	100,000	90,000 00	606,200 00	636,247 45
1876.....	479,780 00	459,747 88	40,000	\$40,999 12	12,500	82,403 66	125,000	90,000 00	637,280 00	623,150 66
1877.....	446,680 00	445,153 31	50,000	40,022 70	17,500	18,267 84	101,000	100,000 00	615,180 00	603,443 85
1878.....	444,430 00	444,355 70	40,000	38,235 80	16,500	10,303 30	137,600	134,805 26	637,930 00	627,700 06
1879.....	538,330 00	493,595 13	40,000	35,890 50	14,000	14,298 50	51,000	86,296 00	643,330 00	630,050 13
1880.....	537,350 00	581,689 60	40,000	26,467 19	23,000	20,000 00	204,500	75,047 00	804,850 00	703,203 79
1881.....	687,135 00	686,738 92	40,000	22,745 12	32,000	26,987 76	101,000	115,610 00	890,155 00	852,081 80
1882.....	868,530 00	867,401 02	125,000	89,148 63	55,000	50,934 20	281,000	232,565 37	1,329,530 00	1,240,049 22
1883.....	1,957,150 00	1,729,556 71	300,240	170,085 47	40,000	59,965 42	578,000	573,431 81	2,875,390 00	2,533,069 41
1884.....	1,941,550 00	1,924,934 34	240,000	368,740 03	34,000	33,910 68	725,000	636,725 91	2,940,550 00	2,964,310 96
1885.....	*2,196,353 80	2,118,596 00	580,000	516,097 16	†34,000	33,223 23	500,000	481,963 13	3,309,353 80	3,149,884 52

\* This item includes salaries and expenses of special examiners.

† This item is included in contingent fund of Interior Department.

TABLE 13.—Statement of the number of claims settled each year since 1862; those for increase, war of 1812, and bounty-land reduced to the basis of Army original claims; also the average cost per case to settle the same, both as to the total number settled and those settled by allowance only.

[Form B.]

Fiscal years.	Claims settled by allowance and rejection.				Claims settled by allowance.				Amounts expended and chargeable to the cost of settling claims.	Average cost per case.	
	Number of Army and Navy original claims.	Increase claims reduced to the basis of originals, proportion of 6 to 1.	War 1812 and bounty-land reduced, proportion of 4 to 1.	Total number settled on the basis of Army and Navy originals.	Number of Army and Navy original claims.	Increase claims reduced to the basis of originals, proportion of 6 to 1.	War 1812 and bounty-land reduced, proportion of 4 to 1.	Total number allowed on the basis of Army and Navy originals.		Settled by allowance and rejection, on basis of original claim.	Settled by allowance only, basis of originals.
1862.....	766	150	1,636	1,200	462	117	1,636	890	\$117,967 43	\$98 30	\$132 54
1863.....	9,477	102	602	9,644	7,884	66	602	8,054	177,489 87	18 40	22 06
1864.....	47,385	284	1,812	47,885	39,487	265	1,812	39,974	276,880 53	5 78	6 92
1865.....	48,188	457	116	48,298	40,171	331	1,161	40,516	301,038 21	6 23	7 43
1866.....	51,209	1,594	408	51,576	50,177	1,297	406	50,494	314,259 42	6 09	6 22
1867.....	43,689	43,581	954	51,190	36,482	23,581	954	42,317	388,928 14	7 59	9 19
1868.....	34,505	42,029	1,077	41,779	28,921	32,029	1,077	34,528	434,881 38	10 40	12 59
1869.....	47,767	17,341	1,650	51,069	23,196	15,064	1,650	26,119	471,250 88	9 22	18 04
1870.....	20,545	2,890	1,758	22,138	18,221	6,545	1,758	19,751	414,404 60	18 71	20 98
1871.....	18,148	1,454	11,180	21,708	16,333	5,263	2,827	17,917	453,473 75	20 88	25 30
1872.....	18,283	6,973	25,466	25,811	13,712	5,480	21,054	19,891	544,322 79	21 08	27 36
1873.....	15,099	25,134	12,242	22,349	10,634	21,761	5,266	15,693	603,963 19	27 02	38 48
1874.....	11,906	4,159	3,061	17,399	9,089	3,627	1,442	13,186	596,051 13	34 25	45 20
1875.....	13,870	22,145	3,516	18,423	10,496	15,561	1,063	13,355	636,247 45	34 53	47 64
1876.....	13,489	13,272	1,297	16,425	9,736	7,474	365	11,072	623,150 66	37 93	56 28
		2,612	324			1,245	91				

## Pensions allowed.

Wars.	Survivors.			Widows.			Totals.
	Invalid.	Service.	Total.	Invalid.	Service.	Total.	
War of the Revolution.....	2,513	35,405	37,918	.....	24,151	24,151	62,069
War of 1812 with Great Britain.....	4,627	25,690	30,317	2,535	34,196	36,731	67,048
War with Mexico.....	3,809	.....	3,809	3,810	.....	3,810	7,619
Indian and all other wars, except Revolution, 1812, and Mexican.....	959	.....	959	430	.....	430	1,389
Navy.....	1,670	377	2,047	1,516	.....	1,516	3,563
Military peace establishment.....	1,056	.....	1,056	.....	.....	.....	1,056



TABLE 24.—Statement of the number of military and naval forces of the United States engaged in the following-named wars, from the commencement of the war of the Revolution to the commencement of the war of the rebellion, and of the pensions allowed to the soldiers, and their widows, of said wars.

Wars.	Date.		Troops engaged.			
	From—	To—	Regulars.	Militia and volunteers.	Navy.	Total.
War of the Revolution.....	Apr. 19, 1775	Apr. 11, 1783	130,711	58,750	15,000	.....
Estimated additional.....				105,330		309,791
Northwestern Indian war:						
General Harmer.....	Sept. 19, 1790		320	1,133		1,453
General St. Clair.....						2,300
General Wayne.....		Aug. 3, 1795	2,843	2,387		5,230
						8,983
War with France.....	July 9, 1798	Sept. 30, 1800			4,593	4,593
War with Tripoli.....	June 10, 1801	June 4, 1805			3,330	3,330
Northwestern Indian war: * General Harrison.....	Sept. 11, 1811	Nov. 11, 1811	250	660		910
Creek Indian war.....	July 27, 1813	Aug. 9, 1814	600	13,181		13,781
War of 1812 with Great Britain.....	June 18, 1812	Feb. 17, 1815	85,000	471,622	20,000	576,622
Seminole Indian war.....	Nov. 20, 1817	Oct. 21, 1818	1,000	6,911		7,911
Black Hawk Indian war*.....	Apr. 21, 1831	Sept. 31, 1832	1,339	5,126		6,465
Cherokee disturbance or removal.....	1836	1837		9,494		9,494
Creek Indian war or disturbance.....	May 5, 1836	Sept. 30, 1837	935	12,483		13,418
Florida Indian war.....	Dec. 23, 1835	Aug. 14, 1843	11,169	29,953		41,122
Aroostook disturbance.....	1838	1839		*1,500		1,500
War with Mexico.....	Apr. 24, 1846	July 4, 1848	30,954	73,776	7,500	112,230
Apache, Navajo, and Utah war.....	1849	1855	1,500	1,061		2,561
Comanche Indian war.....	1854	1854		503		503
Seminole Indian war.....	1856	1858		2,687		2,687

\* For pensioners, see table of "Pensions allowed."

Mr. HENDERSON, of Iowa. Mr. Chairman, I am gratified indeed to note the patriotic expressions of my colleague on the subcommittee [Mr. TOWNSHEND] having charge of this bill; and I thoroughly concur with him in the main with respect to the statements he has made. There is one point, however, that he has failed to make clear to this House; I presume possibly it has escaped his notice. But the report read and the remarks made by the gentleman in charge of the bill show that there is an increase of \$15,754,200 in these appropriations for the year ending June 30, 1887, and my colleague on the committee attributes this increase to the accelerated work in the Pension Office. It is not my purpose, Mr. Chairman, to attempt to detract in the slightest degree from the good work of any officer of the Government; but I deem it my duty to call the attention of the Committee of the Whole to the appropriations for the last few years—since, for instance, the arrearage act of 1879; and a lesson may be drawn therefrom which may explain this matter on a different basis from the one adopted by my colleague on the committee.

In the first place the gentleman has failed to call the attention of the committee to the fact that the Commissioner of Pensions stated to the Committee on Appropriations that there would be a deficiency of about \$6,000,000 upon the expenditures of the current year; so that the \$60,000,000 which were appropriated for the year ending June 30, 1886, are confessed by the Commissioner of Pensions to be insufficient to meet the requirements of the law.

But I desire to give one or two additional facts. What has been appropriated heretofore? For the year ending June 30, 1882, there was appropriated \$65,750,000. For the year ending June 30, 1883, there was appropriated \$100,307,999.18. For the year ending June 30, 1884, there was appropriated \$86,295,000. For the year ending June 30, 1885, the appropriation was \$76,586,846.24. For the year ending June 30, 1886, Congress appropriated \$60,000,000. The present bill proposes to appropriate \$75,754,200. The average appropriation for six years is \$77,449,007. Hence we are \$1,694,807 below the average of the last six years.

Now, Mr. Chairman, the average annual appropriation for the payment of pensions for the last six years is \$77,449,007, making the appropriations for this year \$1,694,807 below the average appropriations of the last six years.

Mr. WILSON. Will my colleague on the committee allow me a single suggestion?

Mr. HENDERSON, of Iowa. With great pleasure.

Mr. WILSON. I understand that the gentleman is pursuing his present line of argument to show the efficiency of the working of the Pension Office, and that the appropriations made from year to year hitherto have been larger on that account than the appropriations made the present year. If the gentleman will turn to the Commissioner's report he will find a statement of the disbursements made by the office in those years, which, I submit, is a fairer test of the work of the office than the appropriations made here, which in a great many of those years simply included a reappropriation of the balance coming over from the previous fiscal year.

Mr. HENDERSON, of Iowa. My excellent friend from West Virginia [Mr. WILSON], with a mind always clear and fair, only anticipates me. I had intended to come to the disbursements in the very

next stage of my remarks. But I do not desire to pass from these points until I have impressed upon the committee that while prominence is given in this report and in the remarks of the gentleman in charge of the bill to the fact that there is in this bill an increase of \$15,754,200 over the appropriations of last year, yet we are still \$1,694,807 below the average of the last six years.

I deem this important for the reason that I find a well-considered effort on the part of gentlemen of this House to frighten the country with the idea that the appropriations for pensions are now and likely to be so tremendous that a halt should instantly be called.

Mr. TOWNSHEND. My friend will allow me to make this suggestion: It is perhaps true the average appropriation is what he states, but does he not know the amount which was expended falls far below the average of appropriations? For instance, \$40,000,000 in one year was returned to the Treasury and reappropriated. The average expenditure this year will fall far below the average of appropriations.

Mr. HENDERSON, of Iowa. No, sir; but on the contrary the expenditures have never equaled the appropriations, as I will show. That was the point called out by my good friend from West Virginia [Mr. WILSON].

Mr. TOWNSHEND. Since I have been a member of the Committee on Appropriations we have reappropriated \$40,000,000 which had been turned back into the Treasury.

Mr. HENDERSON, of Iowa. Twenty millions of dollars for the year ending June 30, 1884, but none for last year.

Mr. TOWNSHEND. For 1884. So the expenditure falls far below the average you mention.

Mr. HENDERSON, of Iowa. Yes; that is what I am coming to. Now, Mr. Chairman, having touched on appropriations for this purpose, I come to the point suggested by the gentleman from West Virginia. And here is a lesson I wish every gentleman of the committee to take into consideration, that the appropriations are no guide to the cost of pensions, nor can you find from the report of the Commissioner of Pensions the true data. It can only be found from the Treasury Department. Now, the expenditures on account of pensions for the year ending June 30, 1881, were \$50,059,279.62; for 1882, \$61,345,193.95; for 1883, \$66,012,573.64; for 1884, \$55,429,228.06; and for 1885, \$56,102,267.49.

The average payments and disbursements for these five years were \$57,789,703.55. The last year's payments were \$1,677,441.06 less than the average of the last five years. It is true, the Commissioner says, a deficiency will yet come in, although it has not been reported to the Treasury Department.

Now, then, the reason why there is an average deficiency of about \$20,000,000 between the amount appropriated and the amount expended, as nearly as I can gather from the records of the Department, is, that there is a large amount in excess every year covered into the Treasury. The reason why the Pension Office does not give it (and I am not referring to it as something to the discredit of the Pension Office because you can not get the data there) is, as I understand the facts, the Pension Office charges the sums sent to the pension agencies as if expended, whereas each agency may have a large amount in excess, half a million or a million, which, if not expended at the end of every two years, must be covered back into the Treasury of the United States.

## RANDALL AND BLACK FIGHTING PENSIONS.

Now, gentlemen of the committee, this is all I deem necessary to say specifically in reference to this bill. It has been shown in the report for what these appropriations are designed, and I presume you have observed the reading of the report. But, sir, in this report I also find a matter which was not read when the rest of it was read. I presume the gentleman in charge of the bill deemed it not necessary. Here is a letter from the Commissioner of Pensions to the honorable chairman of the Committee on Appropriations, giving the amount which has been paid out for arrearages under the arrearages acts of 1879. What that has to do with this particular bill I am unable to comprehend. The good judgment of the gentleman in charge of the bill did not call for the reading of this letter, from which I draw the inference that he did not deem it necessary for the purposes of this bill. But it is here in the report.

That is not all, Mr. Chairman, for the country has lately been treated to a very large amount of information in reference to arrearages. We have a letter from the present Commissioner of Pensions to the honorable chairman of the Committee on Appropriations giving estimates of what the passage of the proposition to grant arrearages to soldiers would probably cost. Why the Committee on Appropriations, or rather its able and honorable chairman, took this load on his shoulders I am not prepared to say. I can not believe it was because there was not sufficient faith in the able and patriotic Committee on Invalid Pensions, but I have watched and waited for some time for some explanation.

I find in the New York Herald of January 27 last a letter from the Commissioner of Pensions to the honorable chairman of the Committee on Appropriations. The head lines are not poetic, but they are startling and are a sermon in themselves. So choice are they I will venture to read them to the committee:

Wild pension schemes—It would take every dollar in the Treasury to pay them—Over \$302,000,000 in peril—A raid organized for the benefit of pension claimants—Mr. RANDALL's timely action.

Well, I am glad that we have a gentleman in this House so patriotic as to rescue this country from the danger which seemed to threaten it. Why was all this done? Why was the letter of the Commissioner of Pensions given to the country twenty-four hours in advance of any knowledge of it coming to the members of the Committee on Appropriations? Why was it that the leading Democratic journals of New York published it with such pleasant head lines before humble members of the Committee on Appropriations knew what was going on in the giant intellects of other members of that committee?

Mr. RANDALL. It did not come from the Committee on Appropriations, or from any member of the committee, or from me.

Mr. HENDERSON, of Iowa. I am very glad indeed to know that, Mr. Chairman. I understood that there were but two copies given out, one to the chairman of the Committee on Appropriations—

Mr. RANDALL. And mine was not given out.

Mr. HENDERSON, of Iowa. And one to the President of the United States. The gentleman from Pennsylvania disclaims it, the President of the United States is not here, and it is only a question now between "the king and the cobbler"—Commissioner Black and President Cleveland. I am glad indeed, I repeat, that the chairman of my committee shows that his skirts are clear.

Mr. SOWDEN. Will the gentleman from Iowa allow a question?

Mr. HENDERSON, of Iowa. Well, I am not getting along very rapidly with my speech. There are quite a number of things that I wish to refer to, and I can not yield much more.

Mr. SOWDEN. I would like the gentleman from Iowa to tell this committee whether that letter which was published in the New York Herald was not brought to light on account of and to show the vast amount of money suppositiously involved in the amendment offered to the widows' pension bill by the gentleman from Indiana [Mr. BROWNE]?

Mr. HENDERSON, of Iowa. I do not see any question to answer; but I thank the gentleman for the word "suppositious," so discreetly used in his speech.

Mr. SOWDEN. But is not that the fact, that it was evolved because of the amendment proposed by the gentleman from Indiana and to show the effect of it?

Mr. HENDERSON, of Iowa. I can not yield to the gentleman for a speech. I do not yield to a speech I can not hear.

Now, Mr. Chairman, a word in regard to this letter. When that letter came out from Commissioner Black I examined it very carefully, and I was startled by the statement that \$302,836,200 would be the result of the passage of the arrearages bill.

Mr. TOWNSHEND. Will the gentleman allow a suggestion?

Mr. HENDERSON, of Iowa. Well, I think I can not yield any further, but I will if you will be brief; I have only an hour.

Mr. TOWNSHEND. I know the gentleman does not wish to do any injustice to Commissioner Black. I understand the character of the letter published in the New York Herald purports to give the substance of a letter from Commissioner Black to Mr. RANDALL, the chairman of the Committee on Appropriations, does it not?

Mr. HENDERSON, of Iowa. Oh, yes; word for word, letter for letter, *in hæc verba*.

Mr. TOWNSHEND. And that letter was called for by the chair-

man of the committee. It was a request on the part of the chairman of the committee to the Commissioner of Pensions to furnish certain information to the Committee on Appropriations.

Mr. HENDERSON, of Iowa. And in regard to a bill not before the committee, and which could not come before it. That is exactly what I have stated.

Mr. TOWNSHEND. Still the chairman had a right to make the inquiry so that the committee could have the information.

Mr. HENDERSON, of Iowa. Undoubtedly; so, too, had every other gentleman in Congress. But it was not germane.

Mr. TOWNSHEND. I simply do not want any injustice done to the chairman.

Mr. HENDERSON, of Iowa. Well, Brother RANDALL can take care of himself, I suppose, in this matter.

Mr. RANDALL. I do not know whether I answered the question of the gentleman in full. I understood it to relate to the manner in which the letter got out. I have answered that distinctly, that it did not come from the copy in my possession.

Mr. HENDERSON. Yes, I got a negative answer from you on that point. You did deny it just now.

Mr. RANDALL. And I have no knowledge of the publication whatever. As to why the letter was prompted, I have no hesitation in saying that I felt it my duty, as the chairman of the Committee on Appropriations, to inquire, with my experience here under former legislation, what was likely to be the probable amount of cost to the Government by this amendment. That I did on my own motion, unsolicited from any quarter to make the inquiry.

Mr. HENDERSON, of Iowa. Then I would like to ask my friend from Pennsylvania the chairman of the Committee on Appropriations if he has extended his field of inquiry to embrace all other subjects of legislation which are before all of the other committees of this Congress and likely to involve an increase of expenditures?

Mr. RANDALL. No, sir; but only with respect to that with which I am specially charged.

Mr. HENDERSON, of Iowa. Does the consideration of the pension bills for our poor soldiers alone have his warning care and is that the only field of investigation?

Mr. RANDALL. We had to appropriate money—

Mr. HENDERSON, of Iowa. For laws not yet made. [Applause and laughter.]

Mr. RANDALL. And it was with a view to the proper performance of that duty that the inquiry was made.

Mr. HENDERSON, of Iowa. Now let me take up this famous letter of Commissioner Black, because it has not only been telegraphed over the country, but it was telegraphed with a ninety-three-million-dollar lie in its stomach; and though I have been a pretty careful reader of the organs of the Democracy published in New York city, I have failed to see published a correction or recantation of the falsehoods that are given to the nation through those Democratic media. When I take up this letter and analyze it I see at once from the face of it that it contains a repetition or duplication of \$80,468,100. In other words, that amount, as is shown in Commissioner Black's letter, on his theory, would still have to be paid under the arrearages acts of 1879. But as he included the same amount when he came to a final computation of the amount which would probably be allowed on the claims still pending should the arrearage bill pass, this amount is contained twice. In order to do him justice—

Mr. MATSON. I desire to ask a question of the gentleman from Iowa.

Mr. HENDERSON, of Iowa. Unless I am assured of more time I must decline further interruptions, although there is no gentleman to whom I would more willingly yield than my friend from Indiana.

Mr. MATSON. I only wish to ask the gentleman if he is not aware that General Black published a subsequent letter soon after the other, in which he corrects his mistake.

Mr. HENDERSON, of Iowa. I am just coming to that. I have not seen any letter from him published. But I will state what occurred.

Not desiring to do any injustice to the Commissioner of Pensions I drew a letter, addressed to him, as carefully as I could, on the day after his letter appeared, and sent it from this House by a riding page. In that letter I said to him in substance: Have you not duplicated this \$80,400,000 in your recapitulation? In other words, do you not charge to the operation of the contemplated bill to grant arrearages \$80,400,000 that must be paid anyhow, whether Mr. BROWNE's amendment goes through or not?

The question was drawn as clearly as I could make it. The Commissioner was stubborn. Two days afterward I got this letter, in which he sticks to his text, and says in closing:

It is believed the sum given, \$302,836,200, is approximately correct.

That letter was dated January 30.

Now, Mr. Chairman, a day or two after that we had the Commissioner before the committee, and he changed front three times. (I will say I am not used to this committee business, and if I transgress any rules or courtesies of the committee I want to be brought up with a round turn, because I do not want to do anything improper in so ex-



ceedingly proper a body.) [Laughter.] But three times he changed front, until every member of the committee agreed that the point I had taken was correct; and then he gracefully yielded. And then, after fixing the thing up, an appendix, like a tail to the first great battering-ram that was let loose on the country, was put in to take back and fix up the blunder which he refused to acknowledge in my correspondence with him.

While I am not prepared to analyze motives, it is no secret in this Chamber, Mr. Chairman, that the effect of that letter acted like magic and carried terror into other committee-rooms about this Capitol. Whether it will be finally successful in intimidating any committee from meeting the patriotic requirements of the hour remains to be seen. I myself do not believe that it will. But it is finally developed that only two hundred and twenty-two millions will be the amount resulting from the passage of the bill; and that is mere speculation by a Commissioner of Pensions who could not get it hammered into his head that he had committed a blunder that blazed out from the pages of his own letter.

That is not all. There are still thirteen millions to be deducted. For when he estimates what will be payable under the acts of 1879 he puts it on a fifteen-year basis. I credit this discovery to my able friend from Maryland [Mr. McCOMAS], who called my attention to it.

When he comes to compute it on the final calculation he puts it at the average of eighteen years. That would apply to those coming under the act of 1879, and makes up \$13,000,000 and over that should be deducted in addition to the \$80,400,000.

#### COST OF ARREARAGE ACT.

But, Mr. Chairman, let me call the attention of this House to another fact. The whole theory of the cost of the arrearages goes upon the assumption that 60 per cent. is still to be allowed on pending pension claims. Every member of this House who has aught to do in aiding these men in getting recognition or speeding their claims knows that of the 171,000 claims now pending for invalid pensions, and the 61,582 claims for widows and old fathers and mothers, the great body of them to-day are practically in a state of rejection. They are still there. They are trying to get the evidence, but they have become practically the dregs of the claims of the last twenty years, and 60 per cent. is a wild and extravagant speculation as to what will finally be due. In my judgment \$150,000,000 will more than cover all that possibly can be due and payable under the arrearages bill should it become a law; and I am as good a speculative philosopher as Commissioner Black is, and I have studied this, I believe, with as much care, and desire to get at the truth.

Now, while I am on this subject, I am going to furnish a little Democratic campaign fodder, to put it into my speech for the benefit of my Democratic friends.

Mr. RANDALL. If it will not interrupt the gentleman, I should like to ask him what he figures out or believes will be the cost of the amendment as offered by the gentleman from Indiana [Mr. BROWNE].

Mr. HENDERSON, of Iowa. I have just said I do not believe it would cost over \$150,000,000.

Mr. RANDALL. I did not hear the gentleman make the statement.

#### COMMISSIONER BLACK'S TRUCKLING PARTISANSHIP.

Mr. HENDERSON, of Iowa. And that is speculative to some extent of course; but we have had nothing else but speculation as yet. I was saying that I proposed to furnish some Democratic campaign fodder for my friends on the other side. And we are friends. We talk out in meeting sometimes, but we like each other all the same. The Commissioner of Pensions in his last report treats the country to this delightful little paragraph, which is so rich, so dignified, and so patriotic, and gives such evidence of his non-partisan peculiarities, that I think I may be pardoned if I give the committee the benefit of it. Here on page 15 of his report he says:

At one time the Pension Bureau was all but avowedly a political machine, flitting from border to border with the uncompromising adherents of a single organization, who had for the claimant other tests than those of the law, and who required, in addition to service in the field, submission to and support of a party before pensions were granted. Not always, but often was this true; not openly, but surely were the tests applied; and the vast machinery of a professed governmental office became a party power. The enormous array of the medical boards established in every quarter was almost solidly partisan; made so not openly but surely. People of one faith filled every one of the great agencies. Examiners, trained in unscrupulous schools, traversed the land as recruiting sergeants for a party.

Ah, my gentle Commissioner, when you wrote that paragraph, realizing that you had been a gallant soldier for your country, I fear you thought you might be suspected by the political party that was elevating you to place of not being sufficiently partisan, and therefore you felt it your duty to let yourself down several degrees lower and deeper than any Department or bureau chief appointed under this administration!

Let us analyze this beautiful piece of—rhetoric, I may call it. I will not use a stronger term. [Laughter.]

In the first place the Commissioner says: "Examiners trained in unscrupulous schools traversed the land as recruiting sergeants for a party."

His own report shows that there is an average of 306 examiners in the whole United States. I am not very expert in figures unless I can take my own time, but, on a rough calculation, that would be about

one examiner to each one hundred and eighty thousand of the population. What a slaughter by one examiner! What a tremendous influence he must wield over the elections throughout the country! But there is another little fact that ought to be considered in this connection, and I challenge any gentleman here to correct me if I misstate it. No member of Congress on this floor ever saw a pension examiner of his own district doing business in his district. The rules of the Pension Office, which were never set aside or suspended by that faithful chief Commissioner Dudley, did not allow a pension examiner to do business in his own Congressional district. Nay, Mr. Chairman, an examiner was not even permitted to put his foot on official business within the confines of his own State. That is the rule, that Commissioner Dudley made, in order that the claimant should gain no undue advantage by having his case investigated by an examiner who could be brought under local influences where the claimant lived. No man could have stepped higher or farther outside the field of partisanship than did Commissioner Dudley when he made that regulation and enforced it.

Mr. MATSON. Will the gentleman allow me to interrupt him a moment?

Several MEMBERS. Go on.

Mr. HENDERSON, of Iowa. I will hear the gentleman's question.

Mr. MATSON. I want to ask the gentleman if the rule to which he refers was not the law—whether that rule was not established, not by Commissioner Dudley, but by the law itself?

Mr. HENDERSON, of Iowa. That makes the case all the stronger. I am very glad to have that fact brought to my recollection. I remember now that that is the law, and I shall be glad if any gentleman following me will point out any violation of that law by Commissioner Dudley. In my own Congressional district, which is teeming with soldiers, not only with men who went to the war from my own State but others who have moved westward from the Eastern and the Middle States—in my own district I never saw a pension examiner that I knew by sight or by name when he entered my district.

The examiners had no power politically to aid me or to injure me, and that was the rule throughout the country. And yet this Commissioner of Pensions, perched upon a pinnacle of purity so high that even the Angel Gabriel can not see him, makes this wholesale charge against the administration of the law by his predecessor.

The Commissioner speaks, too, of the board of examiners. I am glad he mentioned them. I learned something on that subject last fall in traveling over my own State. In my city there was a board of examiners.

The chairman of that board—I will give his name—was Dr. G. M. Staples, a man who served all through the war. He was one of the most distinguished surgeons from my State; he was surgeon of a regiment, surgeon of a brigade, surgeon of a division, surgeon in charge of one wing of the army that advanced upon Atlanta. He had spent years upon this board of examiners; he knew all the difficulties soldiers had to encounter in getting up their proofs, and he knew also how to detect fellows who would try to play the sneak. He could not be fooled by any of that class, of whom there were a few in every army, that had the colic when they did not have it very badly. [Laughter.] He was a man fully qualified and equipped by training and experience to understand the needs of the soldiers, and at the same time to protect the interests of the Government. Another gentleman had been appointed upon the board from its organization, my own family physician—appointed, though, before he became such, so that I had nothing to do with his appointment.

These two experienced men were removed from the board and two young men appointed in their places—men, I concede, of character and position, of good standing and good repute, gentlemen for whom I would with pleasure become a voucher as to their character, but gentlemen who had no knowledge of the experiences of the Army such as Dr. Staples had. I remember, too, learning, when going through the district of my distinguished colleague, Colonel HEPBURN (if I may be pardoned for mentioning his name), at the town of Creston, that two men who had served in the Army were removed from the board of examiners there. One of them was a Democrat and voted for Mr. Cleveland, but he committed the heinous crime of voting also for my colleague, Mr. HEPBURN. These two gentlemen were both kicked out and inexperienced civilians put in their places.

One evening when I spoke in the city of Muscatine, in the district of my distinguished colleague [Mr. MURPHY], who can talk more Hennespin Canal into you in five minutes than any man living [laughter], I met two gentlemen who had been removed from the board, who had served through all the war, experienced surgeons, and there were then two vacancies on the board, as I was told, the Department not having been able to fill their places.

In other words, two-thirds of all the examining surgeons of this country—men of experience, the great majority of them comrades of the soldiers, equipped with knowledge and with a kindly feeling for applicants—were stricken down and men without experience put in their places, many of them civilians. And, as is suggested to me, this was done as a matter of policy. It is proclaimed in this report.

I do not wish to dwell longer upon that point, for my watch tells me that my time is flying.

Mr. CUTCHEON. How about the statement as to other tests than those of the law being applied to pensioners?

Mr. HENDERSON, of Iowa. I am glad my friend from Michigan [Mr. CUTCHEON] reminds me of that point. It is suggested in this report that these parties who filled the offices had for the claimants "other tests than those of the law." I would like to see the man living who could testify to this. The Commissioner says this was not done openly. Where did he get his information? Did he get it from some of those slimy wretches who fawn around incoming power in order that they may hold place? If so the testimony will not go far with me; and the Commissioner ought not to incorporate into his report a statement of that kind based upon the evidence of that class of sneaks. That is the only term in the English language that will describe them. If I were out on the Western prairies I would use an expletive with it. [Laughter.]

Now I have had a good deal to do with the Pension Office—

Mr. SOWDEN. Will the gentleman allow me a question?

Mr. HENDERSON, of Iowa. No, my friend must excuse me; I can not yield. I have several things I want to say, and my watch is hurrying me up.

Mr. SOWDEN. I only wish to say—

Mr. HENDERSON, of Iowa. I can not yield. I hope my friend will keep good-natured; Pennsylvania is all right.

When interrupted, with nothing but a kindly motive, I know, I was about to say that during all the time since 1882 that I have had business dealings with the Pension Office, under the last and the previous administration, it never once occurred to me in any verbal or written communication that it was a political machine. I never once suggested to the last Commissioner, who was an intimate friend, any political reasons for the allowance of any claim; and I do not believe that any member on this floor or any man who has held a seat here ever did so. I do not believe it would have been conducive to the health of any gentleman to enter the presence of General Dudley with a dishonorable proposition like that referred to in the report of Commissioner Black.

#### SOUTHERN SECTIONALISM AND DEMOCRATIC MISMANAGEMENT.

But, Mr. Chairman, I pass over that. I want to come now to another subject, the question of the cost of the passage of the arrearages bill. Gentlemen say it is going to cost too much. I compliment my friend in charge of this bill [Mr. TOWNSEND] for his sentiments on that subject. We will pull together like good fellows side by side when we can do it. My answer on this question of cost has been partially made; but I have something more to say on that subject: That is simply and solely a question for the Committee on Ways and Means. If it is true that there is logic and justice in these claims underlying the arrearages bill, that ends the question. They are just, they are logical, and the honor of the nation is pledged to pension the soldier from the moment that the service of the country injured him.

But gentlemen tell us, "Ah, but the receipts and expenditures must be looked into." In a very able, dignified, and well-tempered speech by my distinguished friend who now occupies the chair [Mr. CRISP] attention was called, if my memory serves me right, to the fact that there would be a deficiency, according to the report of the Secretary of the Treasury, in June 30, 1887. I will admit that the Secretary so states. According to the report of the Secretary of the Treasury, the income from all sources for the year ending June 30, 1885, was \$323,690,706.38; the expenditures \$305,830,970.54, showing a surplus June 30, 1885, of \$17,859,735.84. As compared with the former fiscal year, notwithstanding the Government has been in the hands of a great "economical and reform party"—I love to roll that as a sweet morsel under my tongue—there has been a decrease in receipts of \$24,829,163.54, and an increase of expenditures of \$16,100,690.78. For the year ending June 30, 1886, it is estimated that there will be a surplus of \$24,250,000. For the year ending June 30, 1887, the Secretary of the Treasury estimates there will be a deficiency of \$24,589,552.34.

Now, I shall be glad if the chairman of the Committee on Ways and Means will watch these figures. Let no one be intimidated by them. If they prove to be true, for one I would a good deal rather let the foreign gentlemen who want to come in here and traffic in American ports and other American markets pay a little more duty, in order that we might be able to meet the just and honorable obligations of the country. [Applause.] Or I would take another step, and let gentlemen who smoke tobacco and cigars, and now and then take a little whisky and beer (and we will not stop to discuss who are and who are not paying the tax now)—I would let them continue to pay their tax rather than break our faith or fail to fulfill a single one of the pledges made by this Republic to the men who were invited in its hour of danger to put their shoulder to the wheel to save this free Government from destruction. [Applause.]

That is my policy, and I caution gentlemen of the Ways and Means Committee: Gentlemen go slow in reducing taxes. First, make sure what you are about, read the reports of your Government before you go further. Make Johnny Bull pay for the privilege of coming into the rich markets of America to transact his business in competition with our home producers. We will then take care of our own people. [Applause.]

How much time have I left, Mr. Chairman?

The CHAIRMAN. The gentleman has ten minutes of his hour remaining.

Mr. HENDERSON, of Iowa. I want to reserve some of my time, but there is another theme I desire to touch upon before resuming my seat. It is a subject, Mr. Chairman, I approach with reluctance and hesitation.

Mr. CANNON. I will yield to the gentleman from Iowa a portion of my time if he desires it.

Mr. HENDERSON, of Iowa. I thank the gentleman from Illinois for his kindness. Mr. Chairman, I approach with hesitation the point to which I refer, and that is the attitude of certain members of this House to this question of pensions. I say I approach it with delicacy, because the weak spot in my nature is, I have not got a hating heart. I can knock a fellow down when I am mad, but the next minute I wish to pick him up and help him and be his friend. In aught I may now say let no member of this House misinterpret my motives or sentiments.

In the speeches of the distinguished chairman of the committee made immediately after the famous Black letter came out—or in order not to rob any gentleman of his deserts, the famous Randall-Black letter—the chairman of this committee made a speech on Friday night, (private pension bill night), a most elaborate and carefully-prepared speech, in which he took up and gave currency to the ninety-million-dollar statement of the letter just alluded to. The major premise of that speech was that those who had stepped forward to save the country in its hour of peril were entitled to receive fair pensions. That was the major premise; the minor premise was this: that he was opposed to giving \$12 a month to widows, because it was an exorbitant pension. The major premise was broad and patriotic in favor of giving liberal pensions, but the minor premise stated in his view that \$12 a month was too large an amount. Then his assault on the arrearages proposition was made with that breadth, force, and power of which we all know the gentleman from Georgia to be capable.

Does any one here claim that \$12 a month is too much for a widow who has had her natural and legal prop taken away from her? Those who indulge in the narcotic weed spend twice that much in a month and puff it away in smoke. Yet when it is proposed to give the woman whose natural support is in the grave the sum of \$12 a month it is said to be too much. I wish I could feel that these gentlemen themselves are really impressed with the fact that in reality it is an exorbitant pension. But I could not help noticing the negative vote on that bill, and I ask the Clerk to read that negative vote as a part of my remarks—I refer to the widows' pension bill increasing the pension from eight to twelve dollars a month—giving with the name the State from which the member comes.

The Clerk read as follows:

J. M. Allen, Mississippi; Ballentine, Tennessee; Burnes, Georgia; Bennett, North Carolina; Blanchard, Louisiana; Blount, Georgia; Bragg, Wisconsin; Breckinridge, Arkansas; Breckinridge, Kentucky; Cabell, Virginia; Clements, Georgia; Cowles, North Carolina; Cox, North Carolina; Crain, Texas; Crisp, Georgia; Croxton, Virginia; Culbertson, Texas; Daniel, Virginia; Dargan, South Carolina; Davidson, Alabama; Davidson, Florida; Dibble, South Carolina; Dougherty, Florida; Forney, Alabama; Glass, Tennessee; Hammond, Georgia; Harris, Georgia; Hemphill, South Carolina; Henderson, North Carolina; Herbert, Alabama; Hewitt, New York; Irion, Louisiana; Johnson, North Carolina; Jones, Alabama; Laffoon, Kentucky; Lanham, Texas; Martin, Alabama; McMillen, Tennessee; McRae, Arkansas; Miller, Texas; Mills, Texas; Morgan, Mississippi; Oates, Alabama; O'Ferrall, Virginia; Peel, Arkansas; Perry, South Carolina; Reagan, Texas; Reid, North Carolina; Reese, Georgia; Richardson, Tennessee; Sadler, Alabama; Sayers, Texas; Singleton, Mississippi; Skinner, North Carolina; Stewart, Texas; St. Martin, Louisiana; Stone, Kentucky; J. M. Taylor, Tennessee; Throckmorton, Texas; Tillman, South Carolina; Trigg, Virginia; Tucker, Virginia; Turner, Georgia; Wellborn, Texas; Wheeler, Alabama.

Mr. HENDERSON, of Iowa. Mr. Chairman, the total noes were 66. The total Democratic noes were 66. [Applause on the Republican side.] The total Republican noes were none. [Renewed applause.] The total noes South were 64; the total noes North were 2.

I pause here to say that I have not failed to note the names of those South who voted in the affirmative, and I note some of those who have been on opposing battlefields from me. I wish, sir, that there had been more of them, in order to feed the tendency of my mind for fraternity.

There were 2 votes in the negative from the North, one Mr. HEWITT, of New York, which does not disturb me much, because he is not a standing authority on any great question. [Laughter.] There is not a scrap-book, an economic scrap-book in the land but has him as the leading authority on both sides of the tariff question. [Laughter.]

If that does not dispose of my friend from New York, the eloquent allusion of my distinguished friend from Illinois [Mr. TOWNSEND] in charge of this bill, when he referred to hostilities coming from the money power of the country, may possibly touch his case. As for my friend from Wisconsin [Mr. BRAGG], the other Northern Democrat voting against the bill, I am in a little deeper trouble.

Still his speech on that question showed that he—one of the leading Democratic chieftains of the West, and recognized as such—was unwilling to recognize a widow for the purpose of a pension unless she was married to the fellow before he got hurt or was killed. But, sir, he will not go very far as Northern authority, for the reason that a man who would make a fight against a widow and at the same time make his leading effort in this Congress to restore to the enormous pay and



position that he has been restored to in this House Fitz-John Porter is not a high authority, at least in some parts of the country. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. HAMMOND. Mr. Chairman, I am so grateful for the honorable mention of my name by the gentleman from Iowa this morning, that I ask the House unanimously to extend him unlimited time. [Laughter on the Democratic side.]

Mr. SOWDEN. I object.

Mr. CANNON. Can I be recognized now?

The CHAIRMAN. The Chair has promised to recognize the gentleman from Kansas [Mr. RYAN].

Mr. RYAN. Well, if I can be recognized now, I will yield so much of my time to the gentleman from Iowa as he may require.

Mr. CANNON. That was my purpose.

Mr. HENDERSON, of Iowa. I will require but a few minutes.

I am very much obliged to the gentleman from Kansas who has yielded me the time, and also to the gentleman from Pennsylvania for his objection. As to the gentleman from Georgia, for his motion, I assume that it is inspired from nothing but the kindest motives, and therefore doubly thank him. [Laughter on the Republican side.]

Now, sir, this is a significant vote. There is a great lesson to be learned from this vote. In the late campaigns in the North—I do not know how it is down South—the Republican party was charged with being a party of sectionalism, a party that waves the ensanguined garment that keeps up sectional lines. The man that will ever make that charge on a public stump in America after that sample vote closes his eyes to the truth.

#### THE SOUTH WAIVING THE "BLOODY SHIRT."

Mr. TILLMAN. Will the gentleman permit me to ask him a question?

Mr. HENDERSON, of Iowa. Oh, yes; I have time now to answer.

Mr. TILLMAN. I do it good-naturedly.

Mr. HENDERSON, of Iowa. I know that.

Mr. TILLMAN. And as patriotically as the gentleman himself.

Mr. HENDERSON, of Iowa. Oh, yes.

Mr. TILLMAN. I have a country to serve as well as he has.

Mr. HENDERSON, of Iowa. Certainly.

Mr. TILLMAN. Considering that the cotton States, or rather what are known as confederate States, pay about one-third of the amount derived by the Federal Government from taxation—being based on consumption on imported goods and whisky and tobacco—I say considering that the taxation of the Federal Government is based upon consumption and not upon property, and therefore while the South, or the ex-confederate States, pay about one-third of the total amount paid by the Federal Government for pensions, of which they do not get back 3 cents; considering also that \$8 a month from the foundation of the Government to the present time has been deemed a sufficient pension to a widow, can the gentleman blame the Southern members for trying to restrain the necessarily large expenditures for pensions within the rule that has prevailed heretofore?

Mr. HENDERSON, of Iowa. I never was more grateful for an interruption. I arraign no gentleman on this floor for his vote; but I say this in reply to the gentleman, that there is no section of this country that, before God, is under deeper and more profound obligation to pay this debt, or every dollar of their share of it, than the Southern States. [Applause on the Republican side.]

Was it a day of pleasure for us when our flags were unfurled and we marched southward? Was it something we craved and desired when we turned our backs upon our homes and our faces upon death? Ah, Mr. Chairman, I speak for one. *I fought for the South as well as for the North, and that my friend did not do.* [Applause on the Republican side.] I laid my life at his feet as much as I did to keep a roof over my own head. And now that we can all meet here together, men who stood in serried columns against each other for four years, I think that those who cast that negative vote and those covered by the question of the gentleman are under as profound a moral and legal obligation to meet this indebtedness as we are, if not more so. And if he will follow my record on this floor he will find I have voted with you gentlemen and raised my voice to help you in your appeals to give you substantial aid. I have done it in the teeth of opposition sometimes, but never have you appealed to me for one to stand by the development of the Southern country and found me shirking the duty. I have not read this vote on the widows' bill for the purpose of stirring up bad blood in you, and I know that you can not do it with me. That is not my motive. My motive is this—

Mr. OATES. Will the gentleman permit me—

Mr. HENDERSON, of Iowa. In a moment. My motive is this: I feel in the kindest and sincerest spirit imaginable that the time has come when sectional lines should be dropped, but when sixty-four members upon that side of the House, all from the South, said that \$12 were too much to pay a widow, I say that the sectional lines were kept up and the bloody shirt was unfurled in our faces.

Mr. McMILLIN. May I ask the gentleman a question?

Mr. HENDERSON, of Iowa. I will hear the question of the gentleman from Alabama [Mr. OATES].

Mr. OATES. I do not understand that the gentleman alleges that any member from the Southern States has voted against pensions.

Mr. HENDERSON, of Iowa. There are these 64 votes against pensions.

#### NO CONSTITUTIONAL LAW IN THE SOUTH.

A MEMBER. Against an increase of pensions.

Mr. OATES. Will you not allow us when we vote for pensions to exercise same judgment as to the amount? Or are we here as slaves, and not permitted to exercise even that privilege?

Mr. HENDERSON, of Iowa. No, no; not as slaves; God knows that I want all the members on this floor to stand as equals. I concede the constitutional right. One of the oldest members on this floor, the distinguished gentleman from Texas [Mr. REAGAN], said in discussing the widows' bill he would exercise his constitutional rights on this floor. I concede that; but I do say another thing, and the remark of the gentleman from Alabama [Mr. OATES] suggests it to my mind. I say there is more than one way of observing the Constitution and more than one way of trampling it under foot.

To-day, Mr. Chairman, the Constitution is thrown in our faces as a shield to cover an almost solid vote against that little pension bill. And yet there is hardly a Constitution of the United States to be found in the Southern States. I assert here and now as my conviction that if these gentlemen respected the Constitution as they say they would not have the control in this Chamber; if they respected the Constitution instead of ballot-box stuffing and shotguns, they would not have control of the executive of this nation. [Groans and applause.] Ay, you may groan, gentlemen, but you yourselves do know, and you boast of it, too, that you will control this Government in spite of the Constitution, and I tell you here and now in this Chamber that there are as great crimes under the forms of law committed in your section as there was when Sumter was fired on. For one, I protest against sectional control of this country, with the Constitution absolutely defied.

These are my sentiments. I say that the gauntlet was thrown in that vote against fraternal feeling. But I say to my friend here and now, that that vote shall never control one vote of mine to a sectional course. I shall vote to build up the South, for God knows it needs it, and you have felt the force and effect of war. I shall give every vote that I can for the South as I would for Iowa, and that is saying a good deal.

Now, Mr. Chairman, I do not desire to occupy the attention of the committee longer. [Cries of "Go on!"] I only desire to say in closing that I sincerely trust that no gentleman, especially those who were in the ranks against me, misinterpret my feelings, for I say to you now I would rather spend eternity in hell with a confederate who tendered life with his views than be in heaven for ever with a Northern copperhead. [Laughter and applause.] I respect you, and ever shall respect you, and I say to you, call on me when you want help, *under the Constitution.* [Applause.]

Mr. RYAN. How much time have I remaining?

The CHAIRMAN. Fifteen minutes of the time of the gentleman from Kansas [Mr. RYAN] have been occupied.

Mr. RYAN. I reserve the balance of my time.

Mr. WILSON, of West Virginia, and Mr. CANNON rose.

The CHAIRMAN. The gentleman from West Virginia is recognized.

Mr. WILSON, of West Virginia. If the gentleman from Illinois [Mr. CANNON] desires to speak now, I will reserve my time.

Mr. CANNON. I should prefer to have the gentleman from West Virginia proceed, as there has just been a speech on this side of the House.

Mr. TOWNSHEND. As no one seems desirous of speaking, I move that the committee rise.

The motion was not agreed to.

Mr. WARNER, of Ohio, rose.

Mr. WILSON, of West Virginia. How much time does the gentleman from Ohio desire?

Mr. WARNER, of Ohio. I rose to take the floor.

Mr. TOWNSHEND. I suggest that the gentleman from Ohio [Mr. WARNER] be recognized in his own right.

The CHAIRMAN. The gentleman from Ohio will proceed.

Mr. WARNER, of Ohio. I have not risen to go into a general discussion of the pension question. What modification should be made in the pension laws is a question which I did not suppose was coming up for discussion at this time when the single proposition before the House is a bill appropriating \$75,000,000 to pay pensions for the coming year. Such bills, my experience has been, have gone through this House almost without debate and almost without opposition.

But to-day the opportunity has been taken to drag politics into the debate on a pension appropriation bill and to arraign certain officials. Now, Mr. Chairman, when the gentleman from Iowa [Mr. HENDERSON] arraigns the present Commissioner of Pensions for a statement made in his report, and claims that it is without foundation in fact, I call his attention to what the country well knows, and that is that the late Commissioner of Pensions during the last Presidential and Congressional election left his place in the Pension Office—left his high seat as judi-

cial officer in the Pension Department—and went to the State of Ohio to take charge of the political campaign, and there remained for five or six weeks, in charge of the Republican campaign in that State, all the time holding on to his office and drawing his salary as Commissioner of Pensions.

Not only did the Commissioner go to Ohio to take charge of the Republican campaign, but officers under him were sent out to that State and to other States to do similar work. My friend from Cincinnati [Mr. BUTTERWORTH] knows what some of them went there for.

Mr. BUTTERWORTH. I do very well. I know they went to counteract the performance of a pack of scoundrels there.

Mr. WARNER, of Ohio. My friend from Cincinnati knows very well what they went there for; he knows they went there to help in the Republican campaign while drawing pay from the United States Treasury. Some of them were sent elsewhere, ostensibly on duty connected with the office, but in fact to do political work. It is well known in the State of Ohio that the late Commissioner of Pensions increased the number of special examiners and special agents in that State just before the October election. My own district had some six or eight sent into it just before the election. In other districts, safely Democratic, there were only one or two, or the usual number. Not only that, Mr. Chairman, but it is well known that the late Commissioner, as chairman of the campaign committee in Ohio, employed by the hundred men who went all over that State, into every county and township in the State and into every school district, to do political work. I do not say any of this class were paid out of the pension fund or any money appropriated by Congress, but out of the campaign fund provided for the election in that State.

These agents represented themselves as in the employ of Mr. Dudley, the Commissioner of Pensions. They hunted up soldiers who were applicants for pensions, and wherever they found a Democratic applicant they pursued him to his home and told him if he voted the Democratic ticket he need not expect to have his pension allowed. They represented themselves as coming from the Commissioner of Pensions, who had come to Ohio for the purpose of managing the campaign. They said they knew what they were talking about, and that if the applicants expected to get their pensions they must vote the Republican ticket. I am talking about what I know was represented.

Mr. GROSVENOR. Will the gentleman allow me to ask him a question?

Mr. WARNER, of Ohio. Not now. I am on the floor now for but very little time, and I can not yield.

Mr. GROSVENOR. Just for one question.

Mr. WARNER, of Ohio. Very well.

Mr. GROSVENOR. Do you think it was those pension agents in your district that had such a terrible effect upon your vote, or was it the fact that you did not vote for the bill to appropriate money to pay pensions? [Laughter on the Republican side.]

Mr. WARNER, of Ohio. Mr. Chairman, in reply to my colleague's question, I will inform him that I did vote for the bill appropriating money to pay pensions. I do not think there was a single vote against it on the floor of this House. I don't remember that there was. My colleague asked that question evidently without knowing the facts.

Mr. GROSVENOR. Did you vote for the Mexican pension bill after it came back from the Senate?

Mr. WARNER, of Ohio. I most certainly did not, and I do not expect to vote for it if it comes up again in the same form. I shall vote for no bill that proposes, as that did, to grant to men who were merely borne on the roll fourteen days, who never left their States, or perhaps their counties, the same pensions that it allowed to men who served throughout the war and were wounded or disabled. [Applause on the Democratic side.] A more unjust proposition than that in my judgment never was presented in this Hall. I voted against it; I spoke against it everywhere in my district, and the people understand my position on that bill. So I shall vote against it again if it comes up again in that form or with the same provisions. So much for that.

I come back now to the main question, which is the prostitution of the Pension Office for political purposes under the late Commissioner of Pensions—not only the prostitution of his own high functions, but also the conduct of some of his subordinates. I say that those special agents of his, or who claimed to be, flooded every district and every township in the State of Ohio before our October election—I do not say with his knowledge; I have no right to say that; but presumably so, because of the position he took in that campaign; they went all over the State, telling the soldiers that they must vote the Republican ticket or else their pensions would not be allowed, and if they were drawing pensions that they would lose them.

Why, Mr. Chairman, there is scarcely a Democratic soldier in my district who can not testify to this thing. Not only by such agents, but by Republicans generally who engaged in political work was this done; it was the common stock in trade in the campaign; and I think they were justified in assuming what they did by the position which the Commissioner himself took when he abandoned his high official position and went out to Columbus to take charge of the campaign for the Republican party.

Mr. CUTCHEON. I ask the gentleman to yield for a question.

Mr. WARNER, of Ohio. Certainly.

Mr. CUTCHEON. The charges which the gentleman has made in regard to the use of the Pension Office for political purposes are broad and sweeping.

Mr. WARNER, of Ohio. I am aware of that, because the facts are broad and sweeping.

Mr. CUTCHEON. I would like to ask the gentleman whether he has any proof in an authentic form of the statement he has made?

Mr. WARNER, of Ohio. There are plenty of witnesses. I myself know of many of these things.

Mr. CUTCHEON. Will the gentleman give us his specific authority?

Mr. WARNER, of Ohio. The gentleman knows, does he not, that General Dudley was managing the Republicans in Ohio? Let me state further that the Commissioner, as I am now advised, had his office at Columbus in the office of the agent for paying pensions. I know that he sent out telegrams all over the State; at least he sent a great many into my district, some of which were intercepted and shown to me, disclosing exactly what he was doing.

Now, I will say to my friend from Michigan, I never have charged that these political agents were sent out by Commissioner Dudley. I say they so represented themselves. Many of them were strangers. Nobody knew them. They found out the soldiers, followed them to their homes; and soldiers and their friends came to me and told me what had been told them. I was told—I am not telling any secrets—by Republicans on the stump that these men were not really pension agents, but were political agents sent out by General Dudley at the head of the campaign committee, and were paid out of the campaign funds. That, I think, is correct. I believed it then, and I believe it now.

Mr. BUTTERWORTH. Why did you not say that in immediate connection with the charge?

Mr. WARNER, of Ohio. I did.

Mr. BUTTERWORTH. You have just said these men were wholly unauthorized, as you have been advised, yet the statement you made before implied that they were sent out by the Pension Office.

Mr. WARNER, of Ohio. My colleague is mistaken. I said they claimed to come from Mr. Dudley. I said that I did not know whether he sent them or not. I only know what they claimed. The six or eight special examiners or special pension agents I spoke of were a different class; they were sent from the Pension Office.

Mr. BUTTERWORTH. The gentleman should not have disconnected the two statements.

Mr. WARNER, of Ohio. The fact that Mr. Dudley left his place here in Washington and went to Columbus to take charge of the campaign there, still holding his office—for he resigned to take effect at a certain time, really depending on the result of the election—is evidence enough to me. I do not want any other evidence as to what he was doing and was willing to do in that campaign.

The fact that General Dudley, holding the office of Commissioner of Pensions, was willing to leave his duties here and go into a State of which he was not a citizen, with which he had no political relations, and there take charge of a political campaign, is all the evidence I want that he was ready to do all the other things charged against him. And such a prostitution of high official position I do not believe can be found in any other case in the records of this country, and I hope it never will be repeated.

Mr. CUTCHEON. Will the gentleman name any of these political agents besides General Dudley?

Mr. WARNER, of Ohio. Mr. Rathbone was one.

Mr. CUTCHEON. Will the gentleman name another?

Mr. WARNER, of Ohio. I could name a good many, for I made some investigation into this matter.

Mr. CUTCHEON. Let us have them all.

Mr. WARNER, of Ohio. As a gentleman near me suggests, "their name is legion." The class of political agents I have referred to could be found in every township and every school district—in my part of the State at any rate.

Mr. CUTCHEON. Then it ought to be easy to name more than one.

Mr. WARNER, of Ohio. These men were strangers to me, but they were there, and I say they were supported by Republicans who were engaged in political work in that canvass in their representations to soldiers that if they voted the Democratic ticket they would never get their pensions. That was said so many times that it became an old story. The soldiers were told that their claims for pensions would not depend upon their service for their country, would not depend upon scars or wounds or disability, but upon whether they supported the Republican party or not. This is the way pensions were mixed up with politics in that Dudley campaign in Ohio.

Mr. CUTCHEON. Now, will the gentleman allow me one more question on that point?

Mr. WARNER, of Ohio. My friend is so good-natured that I must yield to him.

Mr. CUTCHEON. About 531,000 invalid pensions have already been granted; and all of them, except those granted since the 4th of March last, have been granted under Republican Commissioners. Does the gentleman claim that these 531,000 pensioners are all Republicans?



Mr. WARNER, of Ohio. Oh, no. No such claim is made.

Mr. CUTCHEON. About half are Democrats.

Mr. WARNER, of Ohio. I will go further; I will go so far as to say I do not think the question of politics has determined the allowance of pensions generally. I only talk things that take place about election times, and especially the election two years ago when General Dudley went to Ohio to manage the campaign. When they thought there was something to be gained by this course they did attempt to connect the allowance of pensions with politics, and for that purpose the Commissioner left his place in the Pension Office and went out to Ohio. [Applause on the Democratic side.]

Mr. CUTCHEON. Did he not file his resignation before he went?

Mr. WARNER, of Ohio. But he drew his pay all the time and communicated all the time with the Pension Office. [Applause on the Democratic side.] He was in frequent communication with the office, and during that time some question arose between him and the deputy commissioner, Mr. Clarke, as to who had authority. He claimed to have authority notwithstanding the fact that he left the Pension Office to go to Ohio to manage a political campaign. His resignation could have been easily enough recalled if Blaine had been elected. That is the impartial management of that office under the Commissioner to which the gentleman from Iowa will refer.

Mr. BOUTELLE. Will the gentleman allow me to ask him a question?

Mr. WARNER, of Ohio. Take the examining boards, the boards of surgeons who pass upon questions of disability. I do not say there were not Democrats who were members of such boards under the former Commissioners, but so far as I know there was no Democrat on any examining board in my district. When the present Commissioner came in I advised as a measure of simple justice that there should be at least one man of the opposite party on every examining board in the country. The present Commissioner in this way has constituted all his examining boards.

Mr. HEPBURN. Let me correct the gentleman. It is only fair to state that in Iowa on every one of the examining boards there was a Democrat.

Mr. WARNER, of Ohio. Iowa then must have been an exception, for I do not know of any in Ohio. Certainly there was none in my district. I should like to have the gentleman tell us what Democrat was on the examining board in Keokuk.

Mr. SOWDEN. There were no Democrats appointed on examining boards in Pennsylvania.

Mr. BOUTELLE. Permit me to ask the gentleman a question.

Mr. WARNER, of Ohio. Certainly. I always yield.

Mr. BOUTELLE. I wish to ask whether the absence of Republican pension examiners accounted for the remarkable gains achieved in Hamilton County last year?

Mr. WARNER, of Ohio. I refer to the election two years ago.

The CHAIRMAN. Gentlemen will suspend for one moment until the Clerk reads Rule IV, clause 1.

The Clerk read as follows:

1. When any member desires to speak or deliver any matter to the House, he shall rise and respectfully address himself to "Mr. Speaker," and, on being recognized, may address the House from any place on the floor or from the Clerk's desk, and shall confine himself to the question under debate, avoiding personalities.

The CHAIRMAN. The Chair has had that provision of the rules read for the purpose of suggesting to members when they are disposed to interrupt the member occupying the floor that if they will address the Chair much less confusion will result than under the present system of members interrupting the occupant of the floor without his consent and without addressing the Chair.

Mr. WARNER, of Ohio. I have been asked what reduced the vote in my district. Just these agencies and the misrepresentations made to the soldiers, who believed, as hundreds have since said to me, that if they voted for me and for Cleveland for President it would be the last of their pensions. They were made to believe their pensions did not depend upon their services, wounds, or disability, but upon how they voted. That, I say, was constantly and persistently put before them in campaign documents and by such agencies as I have referred to everywhere. My colleagues all know this. My case was not exceptional.

Mr. CUTCHEON. I ask the gentleman from Ohio if he thinks that is the measure of the intelligence of his constituents to believe anything of that kind?

Mr. WARNER, of Ohio. Doubtless Democratic soldiers in my friend's district were told the same thing, and if they were told so by agents claiming to represent the Commissioner of Pensions they would be likely to believe it.

Mr. GROSVENOR. Will the gentleman yield to me?

Mr. WARNER, of Ohio. Certainly.

Mr. GROSVENOR. How was it your district happened to be afflicted with so great a loss when other Democrats seemed to have gained during that memorable transaction?

Mr. WARNER, of Ohio. I can give another reason for that. [Laughter.] There was a reduction of about five or six hundred, I think. Last year the district went Republican. It has gone Republican before. But the reason why there was so large a reduction was because more

money was spent there to back up these agencies than in any other district in the State. [Applause.]

They seemed to be very anxious indeed for some reason to defeat me. Even my good friend and colleague on the other side came over and tried to help them do it. I do not think in doing so that he exactly represented the facts in the case; but nevertheless we have been good friends and I hope nothing will disturb that relation. He was doing service for his party and he always does that well.

Mr. GROSVENOR. I went over to explain some political inconsistencies into which my friend seemed to have fallen.

Mr. WARNER, of Ohio. Yes, my friend thought that I should have voted for the Mexican pension bill as it came back from the Senate with its load of amendments, as well as for some other matters about which we differed. Now my constituents seemed to think, after a review of the matter, that I was about right after all.

Mr. CUTCHEON. Do I understand the gentleman from Ohio to admit that some of his Democratic constituents are purchasable with money?

Mr. WARNER, of Ohio. Mr. Chairman, I am sorry to say in answer to the gentleman from Michigan that I have never known a district in which there were not some men who could be influenced by money.

It is, I admit, a sad state of affairs, and in this connection I will take occasion to say that in my opinion the most threatening danger that besets this country to-day comes from the use of money in connection with elections. [Applause.] Not less than \$25,000, probably double that sum, was spent in my district—mostly a country district—to secure my defeat, and pension agents and General Dudley were doing all they could besides.

Mr. BROWNE, of Indiana. May I ask the gentleman from Ohio a question?

Mr. WARNER, of Ohio. Certainly. I will yield; I am in a yielding mood.

Mr. BROWNE, of Indiana. I entirely agree with the gentleman that the great danger confronting our institutions is the tendency to a plutocracy. It not only affects elections of representatives to Congress, but may I not ask my friend from Ohio if it is not suspected as having entered into legislative bodies to influence the election of United States Senators? [Laughter and applause.]

Mr. WARNER, of Ohio. I am afraid so; but let me assure my friend that if he will take the trouble to inquire about it he will find my record always against such influences; and he will find no apology anywhere from me for any such practices. I hold in abhorrence the use of money to control elections of any kind, and I have always denounced it and always shall denounce it.

Mr. REED, of Maine. Let us now hear from the rest of the Ohio Democracy. [Laughter.]

Mr. WARNER, of Ohio. Now, Mr. Chairman, I come back to the organization of the Pension Office. My friend from Iowa explains that two or three chiefs have been removed from the Pension Office.

There are something like two thousand, or perhaps a little less than two thousand, Government employés in that office. This is an enormous force for one office. It is an office, too, let me say, where politics never ought to be permitted to enter. Any Commissioner of Pensions who would permit a question relating to the politics of an applicant for a pension to be asked in that office would dishonor the office. The rights of soldiers to pensions do not depend upon their politics, and politics ought not to enter there any more than in a court of justice. Why, what would you think of a court of justice where rights of litigants were made to turn on their political affiliations, or where even a suggestion of a political nature was allowed? The Pension Office should be as far above political influence as any court of justice.

But, sir, to the organization of the Pension Office. There have been two or three removals, but it should be remembered that there are nearly two thousand persons employed—at least one thousand seven hundred or one thousand eight hundred altogether.

A MEMBER. How many are Democrats?

Mr. WARNER, of Ohio. How many are Democrats? I was told that out of nearly two thousand but sixty-eight—I believe that was the number—were Democrats and all the rest were Republicans. My information may not be exact, but I am not far out of the way; the great majority of them are Republicans. Now, I am free to say I think there ought to be some more removals. I think it due to the Democratic party and to the country that there should be more Democrats in that office. Instead of complaining of two or three removals, the real grounds of complaint I think are that there have not been a good many more removals. But I do not think that the present Commissioner of Pensions has permitted political questions to enter the office since he has been there.

Mr. FUNSTON. Will the gentleman let me ask him a question?

Mr. WARNER, of Ohio. Oh, yes.

Mr. FUNSTON. I desire to ask the gentleman if he says that he is opposed to political questions entering there and that there ought not to be a political question raised, why there should be more Democrats there?

Mr. WARNER, of Ohio. I want the office to be made non-partisan by putting partisans out—by putting out men whose sole recommen-

dation for appointment was the fact they were zealous partisans. [Applause on the Democratic side.]

Mr. CUTCHEON. And by putting in partisans on the other side. [Applause on the Republican side.]

Mr. FUNSTON. Of course that is the logic.

Mr. WARNER, of Ohio. To be non-partisan both parties should be indiscriminately there. It should be divided fairly between the parties, which is not the case now. Let me remind my friend that the one qualification essential to secure an appointment there under Republican administrations—I do not say the only qualification, but the essential qualification was, was he a good Republican? Was he a zealous member of his party and a good political worker? In many cases I apprehend no other question was asked. Now, I want to free the Pension Office from this abuse.

Mr. CURTIN. Will the gentleman permit me to ask a question?

Mr. WARNER, of Ohio. Certainly.

Mr. CURTIN. If the offices are not partisan and you do not put partisans out and partisans in, what is the use of holding an election? [Laughter and applause.]

Mr. WARNER, of Ohio. My distinguished friend from Pennsylvania has presented the Flanagan enigma again. He asks what are we here for? But on that point I will define my position at any rate. I believe such places as these, and above all others places in the Pension Office, ought to be non-partisan. This service should be non-partisan. But we do not make it so by keeping only Republicans in, men who were appointed solely because they were active political workers in the Republican party. I believe in letting such partisans step down and out. We require all who enter this non-partisan service to go in through the non-partisan gateway—the Civil Service Commission. Why should not all be treated alike?

Mr. PERKINS. Will the gentleman permit me to ask him a question?

Mr. WARNER, of Ohio. Yes, sir.

Mr. PERKINS. Is the gentleman aware that the present Commissioner of Pensions has kept Republican members of Congress standing in the ante-room while he was conferring with Democratic members as to who should be discharged?

Mr. WARNER, of Ohio. I have not heard that and I do not see how that could well be, for there have not been any discharges. There are certain offices which I believe ought to be changed with every change of administration. Every head of a Department, bureau, or division ought to be changed and made harmonious with the administration. I believe that the men occupying such places ought to be in sympathy with the administration and in harmony with its policy. As to the places that are merely ministerial, let them be made non-partisan by putting out those who were appointed solely because they were partisan, or at any rate require all to go through the same ordeal to stay as to get in. In other words, make the service non-partisan by putting all on the same footing. Give Democrats at any rate an equal chance.

Now, Mr. Chairman, I want to call attention to one other thing, and I will then take my seat. I desire to make one remark in justice to the present Commissioner of Pensions; and that is, that I have heard no complaint from any soldier from any part of the country that there has been any partisanship in decisions rendered on pension claims; and instead of there being no pensions allowed, as the soldiers were told, there have been more pensions allowed upon their merits, and on the evidence presented, under the present administration of that office than were ever allowed in the same time under any other administration of this office. I am certainly borne out by the facts in this statement.

When I came in here to vote for this pension bill, to vote to appropriate seventy-five millions to pay pensions for the coming year, I did not expect to have anything to say or that there would be any discussion on the bill at all further than to explain the appropriation. I am in favor of extending the provisions of the pension laws so as to embrace all soldiers who are now disabled, if they have a military record that justifies the presumption that their disability is due to their service. I say such soldiers are entitled to pensions as much as they were when in the service to their pay. But that is a very different proposition from putting everybody on the pension-list at the same rate, whether he performed service or not and whether in any way disabled or not.

Mr. RANDALL. I desire to leave the arena of bitter partisan politics for a moment to assume the safer ground of history and truth. I was unwilling that the sun should go down without making the statement I desire now to submit.

I became chairman of the Committee on Appropriations for the Forty-fourth Congress. I acted in that position during the first session of that Congress. I was Speaker for five years, and then again became a member of the Appropriations Committee for a Congress, and again chairman of that committee for the last Congress, and I am now chairman; and I desire to say this is the first time that I have known of partisan politics and sectionalism being introduced in connection with the debate upon this bill. [Applause.] I would perhaps have remained silent notwithstanding, except that, whether intended or not, there might go abroad to the country the impression that the Democratic party, and more particularly the Southern element—who I call by name the confederates of our party—have in any way shown any hostility whatever to any of

the bills for the payments of pensions during the whole of that period. And when the effort was made, whether intended or not, to make a record against these gentlemen because they exercised their own choice in voting as to the amount that should go to the widows—when the effort was made to send that to the country as evidence of hostility to the payment of pensions, I could not sit here and submit to such an imputation on those gentlemen without contradiction. On the contrary, my experience has shown me that they have displayed a wonderfully generous disposition and full-heartedness in every particular whenever pensions to Union soldiers or the widows of Union soldiers were involved. I now and here place my experience against the impression that might be made, whether intended or not, by the speech of the gentleman from Iowa [Mr. HENDERSON] that there is on that side any hostility from any quarter of this country represented on this side to the payment of what is justly due to those who were disabled and to the dependents on those who fell in the war for the Union. [Applause.]

Mr. MORRISON. In all the years of the war, and the nearly ten years following immediately after it, our friends on the other side of the House politically had control of the Government in all its branches. They are skilled alike in statecraft, in manifestation of mindful care for the soldier of the late war, and in display of patriotism. In all these years certainly they would not fail to busy themselves in making the most ample provision for the soldiers by providing them with suitable and ample pensions and allowances of every kind. Since then, in the dozen or more years I have had the honor of serving here, no Southern man ever failed to vote, at least I do not remember the name of a Southern man who ever failed to vote for the last dollar that in the long years of watchful care and much law-making the Republican party had provided by law should be paid to the soldier. [Applause.] If any gentleman knows of a Southern man who has ever failed to vote the last dollar recommended by the Republican Commissioner of Pensions to keep faith with the soldier and to pay him all our Republican friends had declared to be his due and provided by law should be paid, I would like to know the name of that Southern man. What is his name?

Mr. HAMMOND. Will the gentleman allow me to ask him a question for information?

Mr. MORRISON. Yes, sir; I have said all I care to say.

Mr. HAMMOND. My question is, Who fixed the rate of the widows' pension at \$8 a month? What party fixed it?

Mr. TOWNSHEND. If my colleague will allow me, I will say that the Republican party during the war, and when they had power in both Houses of Congress, fixed the rate of pension for the Union soldiers.

Mr. HAMMOND. My question is, Who fixed these widows' pensions which it is now sought to have raised?

Mr. MORRISON. I do not know that I can answer that question positively. I do not now recollect whether this rate of \$8 was fixed before or since the late war. Whenever fixed, it so remained. It is not yet above \$8.

Mr. CANNON. Mr. Chairman, I desire to say a single word now, more in reply to the gentleman from Pennsylvania [Mr. RANDALL] than anything else, and then I shall reserve the balance of my time until to-morrow. The gentleman from Pennsylvania stated that in his long experience as chairman of the Committee on Appropriations and as Speaker of this House he never before had witnessed a political discussion upon an appropriation bill.

Mr. HOLMAN. No; upon a pension bill.

Mr. RANDALL. I said upon the annual pension appropriation bill.

Mr. CANNON. Then, Mr. Chairman, if that is what the gentleman said, I will say in reply that, as I understand the facts, the speech of the gentleman from Iowa [Mr. HENDERSON] was provoked by the misinformation obtained by the chairman of the Committee on Appropriations from the Commissioner of Pensions and sent out by him or some one else to the country.

Mr. RANDALL. I was not dealing in little matters, as to who was hurt or who was not hurt. I spoke of history.

Mr. CANNON. I say the speech of the gentleman from Iowa was provoked by the information obtained by the chairman of the Committee on Appropriations from the Commissioner of Pensions and sent broadcast over the country, stating the cost of the arrears act as proposed would be \$80,000,000 more than it would be in fact even from his own premises, for the purpose of shaping the policy not only of that committee, but of the Committee on Pensions, touching the proposed legislation, and I think unfairly alarming the country upon the question of cost of the repeal of the limitation of the arrears-of-pension act.

Mr. RANDALL. I will reply to that.

Mr. CANNON. Now, Mr. Chairman, I want to indorse what the gentleman from Iowa [Mr. HENDERSON] has said, and to state that his utterances in exposing that misstatement, which most of the people of the country probably believe to be true, was apt and timely; but although the misstatement is exposed the truth will not overtake it, as truth in such a case never does overtake error.

Mr. RANDALL. I will answer the gentleman in that particular. No man in this House was more surprised at the figures developed than I was. But, as chairman of the Committee on Appropriations, I felt,



of my own motion, that it was my duty to inquire what would be the cost of this legislation, because I remembered that on a former occasion \$75,000,000 was stated as likely to be the cost of the arrears bill, and I knew that up to the present time it had cost \$176,000,000. My inquiry, therefore, was made as a mere matter of precaution, but I of course stand by what I did. I did my duty regardless of the facts developed.

Mr. TOWNSHEND. Will my friend from Illinois [Mr. CANNON] allow me to make a statement here in defense of the Commissioner of Pensions?

Mr. CANNON. I would prefer just now to answer the gentleman from Pennsylvania [Mr. RANDALL] and yield to my colleague from Illinois afterward. The gentleman from Pennsylvania saw his duty clear, as chairman of the Committee on Appropriations, to travel outside of the legitimate jurisdiction conferred upon that committee by the rules and the order of the House, to get a statement from the Commissioner of Pensions which was not correct, and which has gone broadcast over the country.

Mr. RANDALL. I am not responsible for its incorrectness.

Mr. CANNON. I understand that. The gentleman from Iowa [Mr. HENDERSON], on the other hand, saw his duty clear in the consideration of this bill in the greater committee, the Committee of the Whole House, having jurisdiction of this and all other matters of a kindred nature, to correct that mistake before the House and the country. So I think the gentleman from Iowa was strictly within the line of duty. One word further. The gentleman from Pennsylvania [Mr. RANDALL] said that this was the first time that he had witnessed a political discussion upon a pension appropriation bill.

Mr. RANDALL. So far as I could remember.

Mr. CANNON. Now there is a rule in pleading that a demurrer is carried back to the first faulty pleading, and the gentleman's objection, if legitimate objection it be, would probably travel back through the gentleman from Iowa [Mr. HENDERSON] and lodge upon the devoted head of my colleague from Illinois [Mr. TOWNSHEND], who stood in his place here for several minutes glorifying the present Commissioner of Pensions, and adroitly, as his speech will show, seeking to sing the praises of his side of the House and to excuse their shortcomings.

Mr. RANDALL. Will the gentleman from Illinois [Mr. CANNON] allow me to say that I am not engaged in singing the praises of any party or of any section in connection with this subject. I rose simply to do justice and state truth. As to the information I sought, it was my duty to inquire about these matters. For what I did I make no apology at all, and the gentleman does not understand the subject properly if he does not know that even though the Committee on Invalid Pensions should recommend this legislation and pass it through the House, yet it would still remain for the Committee on Appropriations to recommend to the House the appropriations necessary to execute the law.

The bill to increase the pensions of widows has not become a law, but if it should, then the Committee on Appropriations will have to recommend to this House the appropriation of a sufficient sum to carry that law into effect, which will be about \$6,166,000. So that the gentleman from Illinois [Mr. CANNON] is quite wrong in supposing that I was in the least degree outside of the strict line of duty.

Mr. CANNON. The gentleman is chairman of the Committee on Appropriations, but, under the revised rules, that committee has power to do one thing only, namely: to report the appropriations in pursuance of existing law; it has no power to report legislation touching pensions or anything else. And, while I do not seek to criticize him further than to defend the gentleman from Iowa, if he needs any defense, I do say, as the gentleman from Iowa said, that this action, if apt at all, would have come with greater propriety from my colleague from Illinois, the chairman of the Committee of Ways and Means [Mr. MORRISON], which committee reports and recommends legislation to levy taxes and raise revenues to pay pensions and carry on the Government.

Mr. RANDALL. The gentleman has never heard me utter a complaint or a grumble about the duties of the Committee on Appropriations, whether in their present condition or formerly.

Mr. CANNON. Now, Mr. Chairman, I wish to say a word in reply to my colleague from Illinois, the chairman of the Committee of Ways and Means [Mr. MORRISON]. An able and adroit man is my colleague. [Laughter.] No man on either side of the House admires him for his ability and personal qualities more than I do. In order to avoid the force of the point made by the gentleman from Iowa [Mr. HENDERSON], in speaking of the vote that was had at this session of Congress (the record of which was read at the Clerk's desk on the passage of the widows' pension bill, showing the solid vote of Southern Democrats against it), my friend from Illinois failed to make any answer to that, but sought to avoid its effect by saying that in all his experience his Democratic friends had voted every time to make appropriations to pay pensions in pursuance of existing law.

That is doubtless true, for I understand that everybody on both sides has done that. But that did not meet the charge made by the gentleman from Iowa [Mr. HENDERSON]. His statement was from the record that on the bill to pass the act increasing the widows' pension and that of dependent parents from eight to twelve dollars a month

the vote against it came solidly from the Southern Democrats, except the gentlemen from New York [Mr. HEWITT] and Wisconsin [Mr. BRAGG], which showed sectionalism in the gentleman's party friends from the South.

I might go further in the proof of that sectionalism and demonstrate that during the first and second sessions of the last Congress, with a Democratic majority of 70 to 80 in the House, almost the identical sectional force upon that side stood day after day and night after night availing themselves of the rules of the House, filibustering against the consideration of provisions which had been passed by a Republican Senate to put every soldier who had been honorably discharged after three months' service and is now disabled and dependent upon his labor for support upon the pension-roll without further proof. True, my colleague [Mr. TOWNSHEND] stood during those days and nights, as we all remember so well, lifting up his voice and crying aloud for the passage of that bill.

Mr. REED, of Maine. But it was "the voice of one crying in the wilderness."

Mr. CANNON. Mr. Chairman, when that side of the House, with its 70 or 80 majority, was reminded in the last Congress that the House made the rules and could unmake them, that they had the power, with the aid of our side of the House, to so amend the rules as to cut off dilatory motions and pass that bill as it came from the Senate, my colleague from Illinois and Northern Democrats were silent.

I stand ready now so far as this question of pensions is concerned to welcome my colleague [Mr. TOWNSHEND] into the Republican party, provided he will come over and stay with us until the battle is fought through, and provided further, that after this desirable pension legislation fails—for it is liable to fail in this Congress as it did in the last and through the same means—he will not go home and get upon the stump and say "great is Democracy!" and quote his own sayings here in favor of this legislation to cover up and excuse the shortcomings of his party friends.

Mr. Chairman, it will not be the fault of the Republican side of the House if these measures fail to pass.

Mr. TOWNSHEND. I hope my colleague will now yield to me for a few words in reply.

Mr. CANNON. I have promised to yield to the gentleman from New York [Mr. HISCOCK].

Mr. HISCOCK. Mr. Chairman, a great deal has been said about the entire willingness of our friends on the other side always to make ample appropriations in pursuance of law in those Congresses presided over by the gentleman from Pennsylvania and controlled by Democratic committees. I desire to call attention to a bill which we were compelled to pass at the first session of the Forty-seventh Congress—a bill providing:

That to supply a deficiency in the appropriation for Army pensions for the fiscal year ending June 30, 1882, the sum of \$16,000,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated.

The previous Congress had adjourned without making ample appropriations for the pensioners; and one of the first duties that we were called upon to discharge when the Forty-seventh Congress met was to supply the deficiency that had been created by a lack of appropriation on the part of the preceding Congress. I remember further, that it was in pursuance of a grand political scheme—

Mr. MORRISON. Will the gentleman allow me—

Mr. HISCOCK. A great political scheme by which we were compelled to provide for thirty or forty millions of deficiencies in the Post-Office Department and in other Departments, \$16,000,000 being for pensions. These deficiencies were added to the sum total of appropriations which we were compelled to make in order to raise the charge that the Republican party was extravagant.

Mr. RANDALL. All that the gentleman says can not move me from my position that the \$16,000,000 appropriation to which he refers related to a deficiency resulting from miscalculation as to the amount to be paid under the arrears bill.

Mr. HISCOCK. That has always been the trouble, Mr. Chairman, "miscalculation."

Mr. RANDALL. No, sir; if I recollect aright, and I think I do, we appropriated at that time, as on other occasions, both for the current pension-roll and for the arrears, the entire sum that was asked by the officers of the Government belonging to the Republican party.

Mr. HISCOCK. I beg the gentleman's pardon. The matter was discussed; and it was said, "If we do not appropriate enough, a Republican Congress will be in session before there will be any necessity to expend the money, and they can appropriate it." Instead of the sum being charged to the Democratic party, it was charged to us. We were compelled to make the appropriation or there would have been no money in the Treasury to answer the drafts made on behalf of the pensioners. Sixteen millions of dollars! There could be no mistake of arithmetic in reference to so large a sum as that—nearly one-quarter of the whole bill. So far as that item is concerned, it is reported by the committee on this bill; yet a Democratic committee reported a bill—we could protest against it, of course—reported a bill embracing an aggregate appropriation which any arithmetical calculation would have demonstrated was insufficient for the needs of the service.

Mr. RANDALL. Admitting what the gentleman says to be true—it is not true, but admitting it for the sake of argument—his statements do not detract from the disposition on this side of the House at all times to give the entire sums shown to be necessary for the pensioners.

Mr. HISCOCK. I will not undertake to say that gentlemen on the other side expected to cheat the pensioner out of his pension; but they were willing to use the appropriations for that service, as for every other, for political purposes. Their position was, "We will create a deficiency in the pension appropriation, and in the Post-Office Department, and all along the line, so that when the Republican party shall come into power they shall find that insufficient appropriations have been made for the service of the Government; that the Government will be starved unless they will provide for these deficiencies." The sum-total of all those deficiencies, amounting to between thirty and forty million dollars, we were compelled to appropriate for; and the cry upon the stump during the ensuing canvass was "Republican extravagance!" And this cry was based upon the large appropriations we were compelled in this way to make for these different branches of the service.

Mr. CANNON. I now yield five minutes to the gentleman from Maine [Mr. REED].

Mr. REED, of Maine. Mr. Chairman, I had not expected to say a word in this debate until the discussion shifted round to something which very decidedly interests me and has interested me during all my experience in this House. I venture the assertion that in this House the appropriations for the Government have too often been brought here not with reference to the needs of the country, but with reference to political speeches to be made after the adjournment of Congress.

My friend the gentleman from New York [Mr. HISCOCK] has touched only on one phase, I think—that is, the making of appropriation bills not to meet the needs of the country, but known to be, and mathematically demonstrable to be, inadequate to the necessary expenditures of the Government, and all for the purpose of concealing by a deficiency bill the actual expenditures of the country under a Democratic appropriation committee; and the last Congress witnessed the culmination of this abuse. At the last Congress appropriations were deliberately carried through this House which were not sufficient for the purposes of this Government, and which were shown on this floor not to be sufficient under existing laws, because they knew on the other side that the Republican Senate would have to make the necessary additions to carry out and execute the laws of the country. Thereupon immediately the large Democratic newspapers made contrast between Democratic economy and Republican extravagance, and the gentleman from Pennsylvania [Mr. RANDALL] made his annual procession across the country with his budget of figures, explaining how economical he had been and consequently what a saving he was to the country. [Laughter and applause on the Republican side.]

Now, Mr. Chairman, we witnessed that thing in the House in one particular instance, when the House entirely overthrew the Post-Office appropriation bill as presented by the committee, then under the able leadership of the gentleman from Illinois [Mr. TOWNSHEND]. The House made the appropriations which were needed, but the gentleman from Pennsylvania came back, like a distinguished military chieftain during the war from some Winchester or other, and carried the whole Democratic side of the House against appropriations which were made in accordance with law, and against the very appropriations which the gentleman from Pennsylvania and the Democratic side of the House had to vote for in the final results of the bill. But they did it with a complaint, a dismal groan heard all over the country that they were forced to do it by the wicked and expensive Republican Senate, when they did it in accordance with law, when they did it because they had to, when they did it because they knew they would do it from the very time when the bill came before the House. [Applause.]

I do hope, Mr. Chairman, when the gentleman from Pennsylvania makes his next pilgrimage and combines economy with the science and practice of protection [laughter] that some knowledge of the exact condition of things may penetrate the country, so that budget of tabular statements may fall where it belongs—to the ground. [Applause on the Republican side.]

Mr. RANDALL. A word in reply.

Mr. CANNON. Let me know how much.

Mr. RANDALL. I will give you a portion of my time.

Mr. CANNON. How much time have I remaining?

The CHAIRMAN. Twenty-eight minutes.

Mr. CANNON. I will yield to the gentleman from Pennsylvania.

Mr. RANDALL. I can afford to be good-natured.

Mr. CANNON. How much time does the gentleman want?

Mr. RANDALL. Only one moment or two will be necessary to answer what has been said. I wish to state that I have here the official Book of Estimates for the year to which the gentleman from New York [Mr. HISCOCK] has alluded. I find there that the Republican departmental estimates for the year 1882 were \$50,000,000, and that there was appropriated for that year \$50,000,000, just as I stated. The deficiency of \$16,000,000 was subsequently appropriated.

Mr. HISCOCK. Will the gentleman yield to me?

Mr. RANDALL. You have made your statement, and I will not take long to answer it. [Laughter.]

So far as the gentleman from Maine [Mr. REED] is concerned I only want to say this, That the appropriations last year were made, as they always have been made, under the rule of the party to which I belong, as close as possible to the requirements of the Government. I remember very well on a former occasion, years ago when there was an enormous reduction, that a Republican Secretary of the Treasury informed us, notwithstanding that heavy reduction, we might have gone \$11,000,000 deeper. Last year the appropriations were very carefully estimated and appropriated for, and I find the deficiencies now presented are only about \$3,000,000. [Applause on Democratic side.]

Mr. REED, of Maine. Under the action of the Republican Senate—that answers the gentleman. [Applause on the Republican side.]

Mr. RANDALL. Not in the least. The Senate is not the sole body in control of this Government. This House is a co-ordinate branch of the Government.

Mr. MCKINLEY. Only one?

Mr. RANDALL. I would like to hear what the gentleman has to suggest as to another beside the Senate.

Mr. MCKINLEY. I wish to ask the gentleman whether they do not have two co-ordinate branches. I understood him to say they had only one.

Mr. RANDALL. I said this House was a co-ordinate branch. We have the Senate, the Executive, and the House. I know of no other.

Mr. MORRISON. And a useless judge or two. [Laughter.]

Mr. MCKINLEY. I understood the gentleman to say his party had one branch of the Federal Government.

Mr. RANDALL. I have repeated what I said.

Mr. REED, of Maine. I protest against this interruption, as the gentleman from Pennsylvania, I thought, was about to answer me.

Mr. RANDALL. I only wanted to answer the statement of the gentleman from Maine by giving the House the true statement of the case. I do not mean of course to say that the gentleman stated anything untrue.

Mr. REED, of Maine. Of course you did not.

Mr. HISCOCK. A single word, Mr. Chairman, in response to the suggestion of the gentleman from Pennsylvania, that we appropriated the full amount that came to us in the annual estimates of the Departments for the last year. Now, I am clear, and associates of mine who are now and were upon the committee then will bear me out in the assertion, that subsequent investigation proved that that amount would be insufficient.

The subcommittee delegated to investigate the question came to the conclusion that it was insufficient, but the result was that these \$16,000,000 were not appropriated. There were scant appropriations in the Post-Office service and scant appropriations all along the line, and solely for the purpose that the Democracy might in the fall go to the country upon the economical appropriations, and that the next year, when we were compelled to go to the country, they might point to the aggregate of our appropriations and institute a comparison between ourselves and the appropriations made by a previous Congress. We felt the full force of that argument, and thirty-two millions, I think, in the aggregate—I have already had occasion heretofore in this House to point to the items—but thirty-two millions in the aggregate we were compelled to provide for which should have been provided for by the last Democratic House of Representatives.

Mr. CANNON. I now yield three minutes to the gentleman from Maine [Mr. BOUTELLE].

Mr. TOWNSHEND. I hope the gentleman from Maine will wait until to-morrow, so that I can now move that the committee rise.

Several MEMBERS. Oh, no; let us pass the bill to-night.

Mr. BOUTELLE. I shall occupy but a little time.

The CHAIRMAN. The gentleman from Maine is recognized.

Mr. BOUTELLE. Mr. Chairman, I want to direct the attention of the committee to one point which has been raised in this debate, and that is with reference to the suggestion that heretofore there has never been anything known like partisan discussion or partisan lines being drawn upon a pension appropriation bill.

I find in a political manual of a single year, which has been handed me, two or three illustrations of the fallacy of that statement. For instance, in 1879, on the 1st day of March, in the other branch of Congress, pending the consideration of a bill making appropriation to carry out the provisions of the arrears act of January 25, 1879, an amendment was offered making the law granting pensions to soldiers and widows of the war of 1812, applicable to soldiers and sailors of the war with Mexico, to which the following amendment was moved:

*Provided further, That no person who served in the confederate army during the late war of the rebellion, or held any office, civil or military, in the late confederacy, shall be entitled to receive a pension under this act.*

On the vote upon the adoption of that provision there was a solid Republican vote of 24 and a negative vote of 26 solidly Democratic, with the exception of one Senator from Florida and one from South Carolina.

On the same day the following amendment was offered to the same provision.

Mr. SOWDEN. May I ask the gentleman a question?



Mr. BOUTELLE. I can not yield. I have but three minutes.

Pending the consideration of a provision making the law pensioning the soldiers and widows of soldiers of the war of 1812 applicable to the soldiers and sailors of the war with Mexico an additional amendment was offered, as follows:

*Provided further, That no pension shall ever be paid under this act to Jefferson Davis, late president of the so-called confederacy.*

Upon that amendment the division, as might naturally be supposed, was strictly upon party lines, the vote being 23 Republicans in favor of the amendment and 21 Democrats and 1 Republican from South Carolina against it.

Again, on the 19th day of June, 1878, when the arrears-of-pension bill was under consideration in the House, I find that the vote recorded stood 164 in the affirmative and 61 solid compact Democratic votes in the negative. I am unable to state on which side of that question the sympathies of the gentleman from Pennsylvania were enlisted, as he is not recorded.

Mr. RANDALL. Let me answer that by saying that it only confirms the truth of my statement. The provision in question and the debate upon it had no reference whatever to an annual pension appropriation bill. It was the Mexican pension bill and the amendments to it, and not an annual bill.

Mr. BOUTELLE. I beg pardon; the previous votes in the Senate were upon amendments to an appropriation bill which had been regularly reported from the House Committee on Appropriations and passed by the House.

Mr. RANDALL. And I submit that the House has nothing whatever to do with the Senate.

Mr. ALLEN, of Mississippi. Let me ask the gentleman from Maine if he wants the House to adopt all the bad precedents of the Senate?

Mr. BOUTELLE. And in response to the gentleman from Pennsylvania I will say that I was talking of the general purposes of the bills in question to show how the parties in Congress stood upon them.

Mr. CANNON. Mr. Chairman—

Mr. TOWNSHEND. I move that the committee do now rise.

Mr. CANNON. I yield three minutes to the gentleman from Indiana, Mr. BROWNE.

Mr. BROWNE, of Indiana. I do not care to continue the discussion in the line in which it seems to be progressing now. I regret as much as any gentleman that this discussion has taken the course it has taken; but I am not willing that this afternoon session should close without saying one word upon the subject that was brought so prominently to the attention of the House and the country by the gentleman from Ohio [Mr. WARNER].

The late Commissioner of Pensions is my constituent and my personal and political friend. When the charge that has been preferred against him by the present Commissioner of Pensions appeared in his report General Dudley demanded a full, free, and true examination of these charges, and that question is now, if I am correctly informed, pending before a committee of the Senate.

I want to say here if the gentleman from Ohio can name any one reputable man living now who was commissioned by General Dudley to interject politics into the consideration of a pension claim, or to use it for the purpose of influencing any vote, I will right in this presence here denounce him as unworthy of the confidence of any people or any party.

Mr. WARNER, of Ohio. I made no such charge.

[Here the hammer fell.]

Mr. CANNON. I yield three minutes more to the gentleman from Indiana.

Mr. BROWNE, of Indiana. The gentleman from Ohio intended this country should understand that the ex-Commissioner of Pensions let loose an army corps of his agents in his district and other districts in Ohio and the Northwest for the purpose of influencing the vote of pension claimants by representing to them or telling them that unless they voted in a particular way their pensions would not be granted.

Mr. TOWNSHEND. I know of instances where it was done.

Mr. BROWNE, of Indiana. I ask the gentleman from Illinois [Mr. TOWNSHEND] to appear before the Senate committee and give the names of such persons to be examined under oath, and I will undertake to say they are either disreputable scoundrels if they so testify or that they have committed willful and corrupt perjury.

Mr. TOWNSHEND. No, sir; some of them are as honorable men as you are, and as good soldiers as you were.

The CHAIRMAN rapped to order, and requested Mr. BROWNE, of Indiana, to suspend his remarks until the House should come to order.

Mr. BROWNE, of Indiana. No man on this floor representing any constituency has a higher personal or moral character than General Dudley. And I want to say more than that: He, unlike some of his traducers, went from the beginning of the war under the shadow of that flag and testified his devotion to his country by leaving his good right leg on the battlefield at Gettysburg. Do not assail him by innuendo. Do not come in the presence of this House and retail slanders that are unsupported by a single statement of fact. Do not tell things here that he is charged as having done without being frank enough to tell who are the witnesses by whom you propose to establish

it. When a tribunal has been erected before which he has submitted his case for trial, I ask these his defamers to go there and present his case. I warrant it he will be vindicated by that tribunal as he is already vindicated by the country whose interest he has served. Before those who know him he needs no vindication.

Mr. WARNER, of Ohio. What was Colonel Dudley doing in Ohio in 1884? For what did he leave the Pension Office?

Mr. BROWNE, of Indiana. Before he went to Ohio he notified the administration of his resignation as Commissioner of Pensions and proposed then to go out.

Mr. WARNER, of Ohio. But he assumed to be Commissioner all the time and drew his pay as Commissioner.

Mr. BROWNE, of Indiana. It is the rule of the Department to grant to every employé who resigns one month's pay after his resignation and they induced him to accept it—

Mr. WARNER, of Ohio. Who did? The Republican party, not the country.

Mr. BROWNE, of Indiana. With the knowledge that when he entered the Ohio campaign he never intended to return to his position, and during that time he had no official connection with the administration. If he went into the gentleman's district for the purpose of defeating him for Congress he could not have done the country a better service.

Mr. WARNER, of Ohio. The gentleman has admitted the whole of my charge. He was there for just that purpose, but he did not succeed and the country did not approve of his being there and it did not make him governor.

[Here the hammer fell.]

Mr. TOWNSHEND. I rise to a question of order. There is too much confusion in the Hall.

The CHAIRMAN. The point of order is well taken.

Mr. TOWNSHEND. I ask my colleague [Mr. CANNON] to yield to me for a motion that the committee do now rise.

Mr. CANNON. I yield for that purpose.

Mr. TOWNSHEND. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CRISP reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 5201) making appropriation for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1887, and for other purposes, had come to no resolution thereon.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed bills and a joint resolution of the following titles; in which the concurrence of the House was requested:

A bill (S. 877) for the relief of Robert H. Anderson, of the State of Georgia;

A bill (S. 1100) to amend the ninth section of an act entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1886, and for other purposes," approved March 3, 1885;

A bill (S. 1476) to amend the act of Congress approved June 12, 1884, entitled "An act to authorize the construction of bridges across the Wisconsin, Chippewa, and Saint Croix Rivers, in the State of Wisconsin;" and

Joint resolution (S. R. 35) setting apart public reservations for statues to Columbus, Lafayette, and James A. Garfield.

The message also requested that the House of Representatives return to the Senate the joint resolution (H. Res. 71) authorizing the Superintendent of Public Buildings and Grounds in the District of Columbia to supply plants and shrubs to fill certain vases in the Pension building.

The message further announced that the Senate had passed the following resolution:

Whereas the leases heretofore made of the bath-house and hot-water privileges upon the reservation of Government lands at Hot Springs, Ark., have expired by limitation of law; and

Whereas the Attorney-General of the United States has given an opinion that such leases may be renewed by the Secretary of the Interior without additional legislation;

*Be it resolved by the Senate of the United States (the House of Representatives concurring), That in the opinion of Congress such leases of bath-house and hot-water privileges should not be renewed by the Secretary of the Interior unless the Forty-ninth Congress shall adjourn without having legislated with reference thereto.*

#### ENROLLED BILL SIGNED.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill of the following title; when the Speaker signed the same:

A bill (H. R. 3829) for the relief of Frances E. Stewart, administratrix of Michael S. Stewart, deceased.

#### RETURN OF A JOINT RESOLUTION.

The SPEAKER. The Chair lays before the House a message from the Senate, which will be read.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, February 25, 1886.

Ordered, That the Secretary be directed to request the House of Representatives to return to the Senate the joint resolution (H. Res. 71) authorizing the Superintendent of Public Buildings and Grounds in the District of Columbia to supply plants and shrubs to fill certain vases in the Pension building.

The SPEAKER. If there be no objection, the joint resolution will be returned to the Senate.

There was no objection.

#### VACANCY ON EDUCATIONAL COMMITTEE.

The SPEAKER. The Chair appoints to fill a vacancy on the Committee on Education Mr. WILKINS, in place of Mr. CURTIN, declined.

Mr. TOWNSHEND. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned.

#### PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ATKINSON: Petition from 30 clergymen, 11 physicians, 21 lawyers, 43 teachers, 96 business men, and 34 officers of temperance and other societies of Huntingdon and Franklin Counties, Pennsylvania, asking for scientific temperance instruction in all schools under control of the Federal Government—to the Committee on Education.

By Mr. BALLENTINE: Petition of Alfred A. Young, for heirs and executrix of William and Joseph Young, deceased, of Giles County; of Fannie Young, of Giles County, and of William Smith, of Lawrence County, Tennessee, asking that their war claims be referred to the Court of Claims—to the Committee on War Claims.

By Mr. BLANCHARD: Papers relating to the claim of Catharine Jones, wife of Carroll Jones, of Natchitoches Parish, Louisiana—to the same committee.

By Mr. BLAND: Petition of James Duncan, of Miller County, Missouri, for relief—to the same committee.

By Mr. BRADY: Petition of W. Pulley, of E. A. Harper, and of W. E. Bailey, for reference of their claims to the Court of Claims—to the same committee.

By Mr. CATCHINGS: Papers relating to the claim of Martha A. Gibbs and of Emily R. Martin, of Warren County, Mississippi—to the same committee.

By Mr. CLEMENTS: Petition of Sarah Chapman, of Walker County, Georgia, asking that her war claim be referred to the Court of Claims—to the same committee.

By Mr. CRAIN: Petition of citizens of Wharton County, Texas, in favor of the improvement of the bar at Galveston, Tex.—to the Committee on Rivers and Harbors.

By Mr. CUTCHEON: Petition of District Assembly No. 83, Knights of Labor, Manistee, Mich., in favor of a Territorial organization of the Indian Territory—to the Committee on the Territories.

By Mr. R. H. M. DAVIDSON: Memorial from the Board of Trade of Key West, Fla., relative to the proposed increase of duty on leaf-tobacco—to the Committee on Ways and Means.

By Mr. DINGLEY: Petition of F. M. Drew and 125 others, soldiers and officers of the late war, for the amendment of the pension law so as to allow arrears to all invalid soldiers from date of discharge—to the Committee on Invalid Pensions.

Also, memorial of marine insurance companies, of Boston, for the passage of the bill allowing the licensing of masters and mates of American sailing vessels to pilot their own vessels, and exempting American vessels in tow of a steamer in charge of a United States pilot from the obligation to pay a State pilot not needed nor used—to the Select Committee on American Ship-building and Ship-owning Interests.

By Mr. ERMENROUT: Memorial of Frank Battles and others, for the passage of an act to incorporate the American College for the Blind—to the Committee on the District of Columbia.

By Mr. FELTON: Petition signed by all of the county and city officers of Santa Clara County, California, in favor of the abrogation of the Burlingame treaty—to the Committee on Foreign Affairs.

By Mr. FINDLAY: Memorials praying for the restoration of the cooerage interests—to the Committee on Ways and Means.

By Mr. FORNEY: Petition of Henry C. Howell, executor and one of the heirs of George W. Howell, deceased; of James M. Green, of Cherokee County; and of John W. Wesson, of De Kalb County, Alabama, asking that their war claims be referred to the Court of Claims—to the Committee on War Claims.

By Mr. FULLER: Petition of J. H. Cornish and 135 citizens of Mitchell County, Iowa, asking the passage of a law requiring all imitations of butter and cheese be labeled with a United States stamp—to the Committee on Ways and Means.

By Mr. GALLINGER: Petition of F. F. Lane and 46 others, citizens of Keene, N. H., for an appropriation for erection of public building in said city—to the Committee on Public Buildings and Grounds.

By Mr. GROUT: Memorial of M. L. Comings, in behalf of pension for James Carlin—to the Committee on Invalid Pensions.

Also, papers in the case of Lieut. W. A. Phillips, Company F, Second Regiment Vermont Volunteers, for relief—to the same committee.

By Mr. HAMMOND: Petition of the grand jury of Spalding superior court, and of citizens, in favor of appropriations to aid education—to the Committee on Education.

Also, memorial of the Knights of Labor of Atlanta, Ga., in favor of liberal appropriation for internal improvements—to the Committee on Railways and Canals.

By Mr. HATCH: Petition of W. H. Butler and another, against Chinese immigration—to the Committee on Foreign Affairs.

By Mr. D. B. HENDERSON: Paper from John Mullan relating to the House of the Good Shepherd—to the Committee on Appropriations.

By Mr. HEPBURN: Petition of James S. Walker and others; and of Raymond Lorang and others, citizens of Page County, Iowa, praying for the forfeiture of the unearned lands of the original grant to the Sioux City and Saint Paul Railroad—to the Committee on Public Lands.

Also, petition of H. G. Aukeny and 50 others, of Adams County, and of E. F. Sullivan and 100 others, of Union County, Iowa, protesting against the passage of a general bankrupt law—to the Committee on the Judiciary.

By Mr. HEWITT: A volume of petitions from bank officers and others, of New York savings-banks, for the repeal of the law directing the coinage of the 412-grain silver dollars—to the Committee on Ways and Means.

Also, petition of carriage-builders and others, in favor of a reduction in the duty on imported varnish—to the same committee.

By Mr. KELLEY: Petition of Mrs. C. J. Williams and others, and of H. P. Redd and others, for an amendment to the Constitution which shall declare that the right to vote shall not be denied or abridged by the United States or any State on account of sex—to the Committee on the Judiciary.

Also, petition of J. G. Brill & Co. and 30 others, manufacturers, of Philadelphia, Pa., praying for the speedy enactment of all legislation necessary to put in force the reciprocity treaty with Mexico—to the Committee on Ways and Means.

By Mr. KLEINER: Petition of ex-Union soldiers and citizens of Pike County, Indiana, praying for a uniform pension—to the Committee on Invalid Pensions.

By Mr. MORGAN: Petition of heirs of Mrs. Alice Hardaway, of Benton County, Mississippi, asking that their war claim be referred to the Court of Claims—to the Committee on War Claims.

By Mr. NEAL: Papers to be considered with House bill 5769, granting a pension to Sarah F. Harvey; and also with H. R. 5772, granting a pension to William T. Green—to the Committee on Invalid Pensions.

Also, papers to be considered with H. R. 5770, for the relief of Wallace N. and Ellen J. Hoge—to the Committee on War Claims.

By Mr. NELSON: Petition and resolution of the Knights of Labor of Duluth, Minn.—to the Committee on Labor.

By Mr. OWEN: Petition of Noah Rosenberger and others, for payment of value of property destroyed—to the Committee on War Claims.

Also, petition of W. H. Shaw and others, for pension legislation recommended by the Grand Army of the Republic pension committee—to the Committee on Invalid Pensions.

Also, petition of George W. Waters and others, and of Albert M. Boyle and others, for a service pension to all Union soldiers—to the same committee.

By Mr. PLUMB: Petition of George Woelfel, Levi Price, L. B. Ray, and 19 others, of Morris, Ill., asking protection of law to cattle branded on Western ranches—to the Committee on Agriculture.

By Mr. RANDALL: Petition of J. F. Kincaide and others; of Jesse E. Thompson and others; of Fernando Nolan and others; of Joseph Grant and others; of W. O. Hawk and others; of Thomas P. Gable and others; of George H. Jones and others; of C. H. McHenry and others; and of Rafael Romero and others, to change the time of the meeting of the Legislature of New Mexico, and to authorize the governor to reappoint the Territory—to the Committee on the Territories.

Also, appeal of St. Ann's Infant Asylum, for an increase of appropriation—to the Committee on Appropriations.

By Mr. REAGAN: Petition of citizens of San Augustine County, Texas, for deep water at entrance to Galveston Harbor—to the Committee on Rivers and Harbors.

Also, petition of 16 citizens of Leon County, Texas, and of citizens of Houston County, praying for an appropriation to secure deep water at Galveston Harbor—to the same committee.

By Mr. T. B. REED: Petition of York Manufacturing Company and others, citizens of Saco, Me., for an appropriation to improve Saco River navigation—to the same committee.

By Mr. RYAN: Papers relating to the claim of Davis & Lewellen—to the Committee on Claims.

By Mr. SCOTT: Petition of citizens of Norfolk, Va., on the silver question—to the Committee on Coinage, Weights, and Measures.

By Mr. SENEY: Petition of William S. Decker and 40 others, citizens of Wood County, Ohio, for pension legislation requested by the Grand Army of the Republic—to the Committee on Invalid Pensions.

By Mr. SESSIONS: Petition of citizens of Allegany County, New York, for an amendment of the patent laws so as to prevent frauds on the farmers—to the Committee on Patents.



By Mr. SHAW: Petition of Mary E. Carroll, of Carroll County, Maryland, praying that war claim of Christian Carroll be referred to the Court of Claims—to the Committee on War Claims.

By Mr. SPRIGGS: Petition of Henry A. Dewey, of Oneida County, New York, praying for the removal of certain disabilities, and proof thereof—to the Committee on Invalid Pensions.

By Mr. SPRINGER: Petition from some parties with regard to the Presidency—to the Committee on the Judiciary.

Also, memorial Knights of Labor of Decatur, Ill., relating to the Hennepin Canal—to the Committee on Railways and Canals.

By Mr. STAHLNECKER: Petition of citizens of New York relative to the duty on marble—to the Committee on Ways and Means.

By Mr. STRUBLE: Petition of E. C. Herrick and 14 others, citizens of Cherokee County, Iowa, asking that Congress submit to the States a proposition to so amend the Constitution as to protect the women of the States and Territories in the enjoyment of the right of equal suffrage with men—to the Committee on the Judiciary.

By Mr. WILLIAM WARNER: Petition of William H. Rodenald and others, of Independence, Mo.; of Frederick Eitelgeorge and others, and A. L. Chapman and others, of Kansas City, Mo., for payment of certain claims of Missouri militia—to the Committee on War Claims.

By Mr. WHEELER: Petition of Claborn W. Hunt, administrator of W. L. Shelton, deceased, of Jackson County, Alabama, for compensation for property taken and used by the United States Army during the late war—to the same committee.

The following petitions, praying Congress to place the coinage of silver upon an equality with gold; that there be issued coin certificates of one, two, and five dollars, the same being made legal tender; that one and two dollar legal-tender notes be issued, and that the public debt be paid as rapidly as possible by applying for this purpose the idle surplus now in the Treasury, were presented and severally referred to the Committee on Coinage, Weights, and Measures:

By Mr. SESSIONS: Of farmers of Chautauqua County, New York.

## SENATE.

FRIDAY, February 26, 1886.

Prayer by the Chaplain, Rev. E. D. HUNTLEY, D. D.

The Journal of yesterday's proceedings was read and approved.

### HOUSE BILL REFERRED.

The joint resolution (H. Res. 124) to print 31,000 copies of the eulogies on Thomas A. Hendricks, late Vice-President of the United States, was read twice by its title, and referred to the Committee on Printing.

### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of Local Assembly No. 2143, Knights of Labor, Krumroy, Ohio, praying for the passage of the bill restoring the wages of employes in the Government Printing Office to the former rate; which was referred to the Committee on Printing.

Mr. CULLOM presented a petition of Local Assembly No. 4146, Knights of Labor, of Lincoln, Ill., praying for the construction of the Hennepin Canal; which was referred to the Committee on Commerce.

Mr. MAXEY presented a petition of Knights of Labor of Terrell, Tex., praying that an appropriation be made for the improvement of the harbor at Sabine Pass; which was referred to the Committee on Commerce.

Mr. JONES, of Arkansas, presented a memorial of 486 visitors at Hot Springs, Ark., remonstrating against the removal of bath-houses from the Government reservation at that place; which was referred to the Committee on Public Lands.

Mr. WILSON, of Iowa, presented a petition of J. W. Hedberg and 45 other citizens of Iowa, praying for the passage of an act of absolute forfeiture of the unearned lands within the limits of the grant to the Sioux City and Saint Paul Railroad Company; which was ordered to lie on the table.

He also presented a petition of the Fairfield monthly meeting of Friends, comprising 500 members, located in Ohio; a petition of Winnecheik (Iowa) monthly meeting of Friends; a petition of citizens of West Branch, Iowa; a petition of the New Sharon (Iowa) monthly meeting of Friends; and a petition of the Earlham (Iowa) monthly meeting of Friends, praying the passage of the bill (S. 355) to promote peace among nations, for the creation of a tribunal for international arbitration, and for other purposes; which were referred to the Committee on Foreign Relations.

Mr. PLUMB presented a petition of citizens of Morris and Wabunsee Counties, Kansas, praying the passage of the bill to open the Oklahoma lands in the Indian Territory to settlement; which was referred to the Committee on Indian Affairs.

He also presented a petition of ex-Union soldiers residing in Kansas, praying for the passage of what is known as the Weaver bill, proposing to pay the Union soldiers of the late war the difference in value between

the depreciated greenback currency in which they received their pay and gold; which was referred to the Committee on Military Affairs.

### REPORTS OF COMMITTEES.

Mr. BLACKBURN, from the Committee on the District of Columbia, to whom was referred the bill (S. 1339) to amend the police regulations of the District of Columbia, reported it with an amendment.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1543) fixing the rate of interest upon arrearages of taxes due July 1, 1884, and on all special improvements due the District of Columbia, which may be paid within a specified time, reported adversely thereon; and the bill was indefinitely postponed.

Mr. PIKE, from the Committee on the District of Columbia, to whom was referred the bill (S. 346) to amend an act entitled "An act to incorporate the National Safe Deposit Company of Washington, in the District of Columbia," approved January 22, 1867; and the bill (S. 62) enlarging the powers of the Washington Safe Deposit Company, and for other purposes, reported adversely thereon; and the bills were postponed indefinitely.

Mr. INGALLS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1587) in relation to the trustees of the Reform School of the District of Columbia, reported it without amendment.

Mr. BROWN, from the Committee on the District of Columbia, to whom was referred the bill (S. 1008) to empower the Board of Foreign Missions of the Methodist Protestant Church to hold property in the District of Columbia, reported it with an amendment.

Mr. CAMERON, from the Committee on Commerce, to whom was referred the bill (S. 805) to authorize certain foreign-built steamships in the service of the International Navigation Company to be registered as vessels of the United States, reported it with amendments.

### BILLS INTRODUCED.

Mr. HARRIS introduced a bill (S. 1646) to amend an act entitled "An act for the erection of a public building at Chattanooga, Tenn.," approved February 25, 1885; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. MITCHELL, of Oregon, introduced a bill (S. 1647) for the relief of Henry H. Wheeler, of Crook County, Oregon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 1648) granting an increase of pension to William Collinsworth; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, returned to the Senate, in compliance with its request, the joint resolution (H. Res. 71) authorizing the Superintendent of Public Buildings and Grounds in the District of Columbia to supply plants and shrubs to fill certain vases in the Pension building.

### ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 3829) for the relief of Frances E. Stewart, administratrix of Michael S. Stewart, deceased; and it was thereupon signed by the President *pro tempore* of the Senate.

### ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. If there is no further routine morning business the Calendar is in order under Rule VIII, and the first case on the Calendar will be reported.

Mr. MITCHELL, of Oregon. In pursuance of the notice given by me, I ask that the Calendar may be laid aside for the purpose of enabling me to have taken up Senate bill 1483, what is known as the Chinese bill, for the purpose of submitting some remarks upon it.

The PRESIDENT *pro tempore*. Pending the Calendar the Senator from Oregon asks that it be postponed and that the bill indicated by him be taken from the table for consideration. The Chair hears no objection to the request of the Senator from Oregon.

Mr. HALE. I gave notice yesterday that at the close of the remarks of the Senator from Mississippi [Mr. GEORGE], who was then entitled to the floor, I should move that the Senate go into executive session. The hour was so late when the Senator from Mississippi finished that I did not think it then advisable to attempt to interfere with the progress of the bill which was at that time before the Senate, but I wish to give notice now that at the end of the remarks of the Senator from Oregon [Mr. MITCHELL] I shall make a motion that the Senate proceed to the consideration of executive business.

### PROHIBITION OF CHINESE IMMIGRATION.

The PRESIDENT *pro tempore*. The bill called up by the Senator from Oregon will be read by its title.

The CHIEF CLERK. A bill (S. 1483) abrogating all treaties heretofore made and now operative between the United States Government and the Chinese Empire, in so far as they, or any of them, provide for, recognize, or permit the coming of Chinese to the United States, and in